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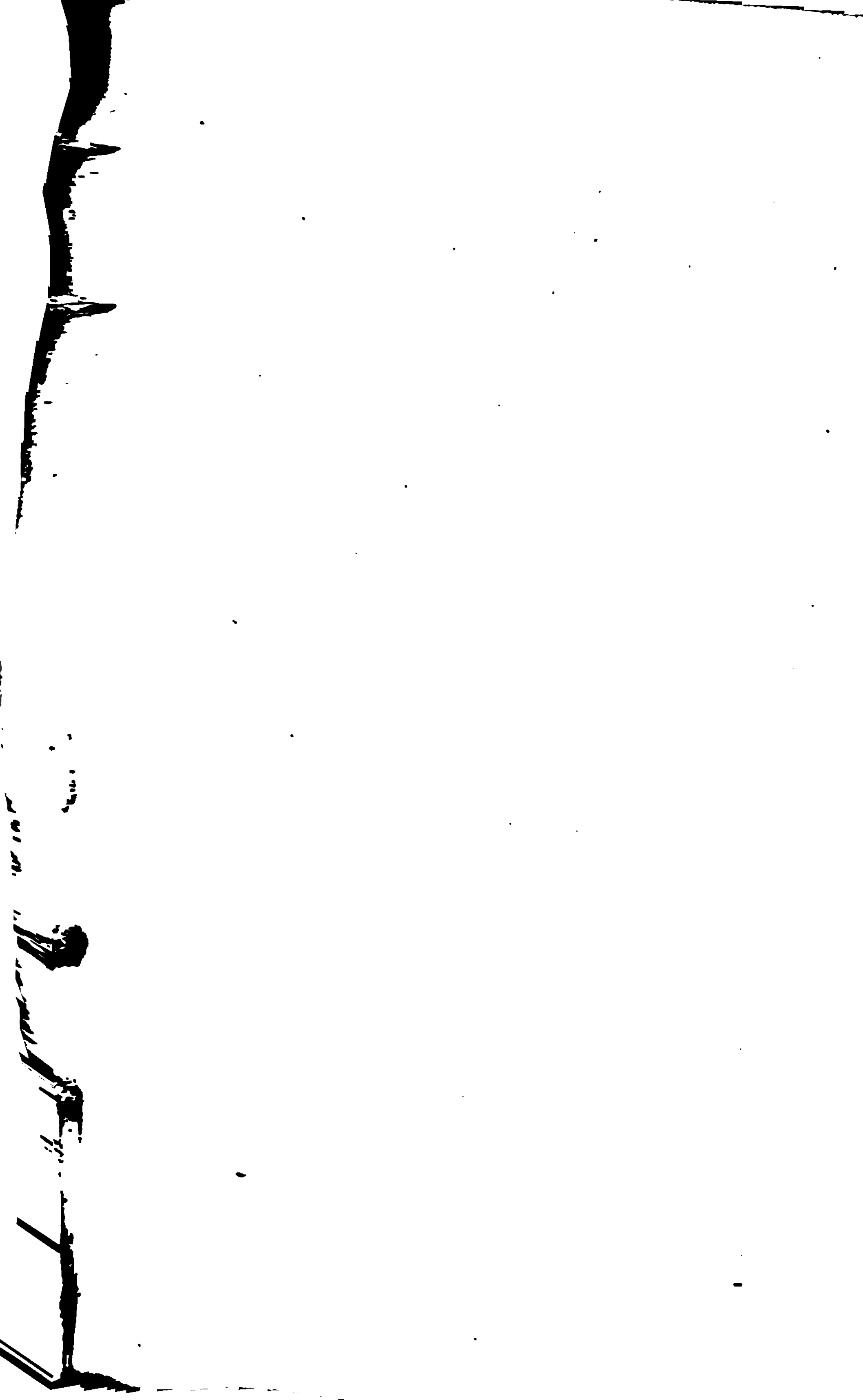
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JOURNAL

OF THE

ASSEMBLY

OF THE

STATE OF NEW-YORK;

AT THEIR

SEVENTY-FOURTH SESSION,

**BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF ALBANY,
ON THE SEVENTH DAY OF JANUARY, 1851.**

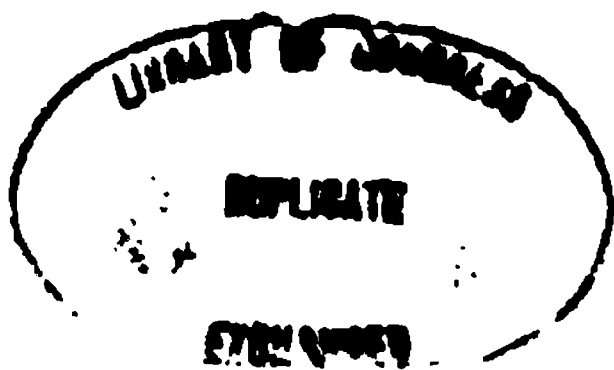
VOLUME I.

ALBANY:

CHARLES VAN BENTHUYSEN, PRINTER TO THE LEGISLATURE.

.....
1851.

099



JOURNAL OF THE ASSEMBLY.

STATE OF NEW-YORK;
ASSEMBLY CHAMBER, IN THE CITY OF ALBANY,
TUESDAY, JANUARY 7, 1831.

PURSUANT to the sixth section of article tenth of the Constitution of this State, the gentlemen whose names are given in the following list, with the exception of those marked with an asterisk, appeared in the Assembly Chamber. The said list contains the names of the Representatives in Assembly for the current year, viz :

Counties.	Districts.	Names.
Albany,	1	Robert Babcock,
	2	Adam I. Shultes,
	3	Hamilton Harris,
	4	Eli Perry,
Allegany,	1	Emery E. Norton,
	2	Anson Congdon,
Broome,		Roger W. Hinds,
Cattaraugus,	1	Alonzo A. Gregory,
	2	William J. Nelson,
Cayuga,	1	Levi Colvin,
	2	George Underwood,
	3	Delos Bradley,
Chautauque,	1	Austin Smith,
	2	Daniel W. Douglass,
Chemung,		Samuel Minier,
Chenango,	1	Levi Harris,
	2	Laman Ingersoll,
Clinton,		Henry G. Hewit,
Columbia,	1	John D. Langdon,
	2	Philetus W. Bishop,
Cortland,		Alvan Kellogg,
Delaware,	1	Samuel Doyle,
	2	William Gleason, Jr.,
Dutchess,	1	Charles Robinson,
	2	Howland R. Sherman,
	3	William H. Feller,

Counties.	Districts.	Names.
Erie,.....	1	Orlando Allen,
	2	William A. Bird,
	3	Henry Atwood,
	4	Charles C. Severance,
Essex,		Abraham Welden,
Franklin,		William A. Wheeler,
Fulton and Hamilton,.....		John Stewart,
Genesee,	1	Albert Rowe,
	2	Levi Fisk,
Greene,	1	J. Atwater Cooke,
	2	Henry Kinsley,
Herkimer,	1	John H. Wooster,
	2	Daniel Shall,
Jefferson,	1	William A. Gilbert,
	2	John Pool, Jr.,
	3	Lorin Bushnell,
Kings,	1	George E. Baker,
	2	Howard C. Cady,
	3	Edward T. Backhouse,
Lewis,		Caleb Lyon,
Livingston,.....	1	Alvin Chamberlin,
	2	Orrin D. Lake,
Madison,	1	Jairus French,
	2	Franklin B. Hoppin,
Monroe,	1	Nathaniel H. Fordyce,
	2	William A. Fitzhugh,
	3	Caleb B. Corser,
Montgomery,.....	1	Solomon P. Heath,
	2	Conrad P. Snell,
New-York,.....	1	Albert A. Thompson,
	2	Charles R. Swords,
	3	Henry J. Allen,
	4	Abram Wakeman,
	5	*Michael Dougherty,
	6	Wyllis Blackstone,
	7	Henry J. Raymond,
	8	Sanford L. Macomber,
	9	John Ryan,
	10	Lebbeus B. Ward,
	11	James Dewey,
	12	William S. Gregory,
	13	Joseph B. Varnum, Jr.,
	14	*George Clark,
	15	John J. Townsend,
	16	William D. Greene,
Niagara,	1	Abijah H. Moss,
	2	Jeptha W. Babcock,

JAN. 7.]

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Counties.	Districts.	Names.
Oneida,	1	Joseph Benedict,
	2	Lorenzo Rouse,
	3	Lewis Rider,
	4	George Brayton,
Onondaga,	1	Demosthenes C. Le Roy,
	2	John F. Clark,
	3	George Stevens,
	4	Daniel Denison,
Ontario,	1	Thomas J. McLouth,
	2	Henry Pardee,
Orange,	1	Oliver Belknap,
	2	Phineas Rumsey,
	3	Milton Barnes,
Orleans,		Silas M. Burroughs,
Oswego,	1	Moses P. Hatch,
	2	Benjamin F. Lewis,
Otsego,	1	Henry J. Campbell,
	2	Edwin S. Coffin,
	3	Worthington Wright,
Putnam,		William Bowne,
Queens,		James Maurice,
Rensselaer,	1	George Lesley,
	2	William Russell,
	3	Oliver C. Thompson,
Richmond,		William H. Anthon,
Rockland,		Jacob Sickles,
St. Lawrence,	1	Smith Stilwell,
	2	John Horton,
	3	Noble S. Elderkin,
Saratoga,	1	Abraham Leggett,
	2	John L. Perry,
Schenectady,		Reuben Ellwood,
Schoharie,	1	Lewis Rockwell,
	2	Abraham L. Lawyer,
Seneca,		Orin Southwick,
Steuben,	1	Charles G. Higby,
	2	*James H. Miles,
	3	Joel Carrington,
Suffolk,	1	Franklin Tuthill,
	2	Egbert T. Smith,
Sullivan,		Jonathan Stratton,
Tioga,		James Ely,
Tompkins,	1	Alexander Graham,
	2	Benjamin G. Ferris,
Ulster,	1	William F. Russell,
	2	John P. Davis,
Warren,		David Noble, 2d,
Washington,	1	Thomas C. Whiteside,
	2	James Farr,

Counties.	Districts.	Names.
Wayne,	1	Edward W. Bottum,
	2	Theron G. Yeomans,
Westchester,	1	Daniel Clark Briggs,
	2	Theodore H. Benedict,
Wyoming,		Wolcott J. Humphrey,
Yates.		Samuel Jayne, Jr.,

The members were called to order by James R. Rose, Clerk of the last House.

The Hon. Christopher Morgan, Secretary of State of the State of New-York, who was in attendance in the Assembly Chamber, administered to the members present the oath of office, prescribed by the twelfth article of the Constitution of this State.

Mr. Varnum offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the House now proceed to choose a Speaker ; that the list of members be called, and that each member as his name is called, rise in his place and openly nominate the person whom he desires for Speaker.

The Clerk put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

The list of members was then called, and each member present rose and openly nominated as follows, viz :

For HENRY J. RAYMOND,

O. Allen	Cady	Gilbert	Langdon	Sherman
Anthon	Campbell	Gleason	Leggett	Shultes
Atwood	Carrington	Graham	Lesley	A. Smith
J. W. Babcock	Chamberlin	A. A. Gregory	Lyon	Southwick
Backhouse	Cooke	W. S. Gregory	McLouth	Stevens
Baker	Corser	Greene	Macomber	Swords
Belknap	Dewey	H. Harris	Moss	Townsend
J. Benedict	Douglass	L. Harris	Nelson	Tuthill
T. H. Benedict	Ellwood	Heath	Norton	Underwood
Bird	Ely	Hewit	Pardee	Varnum
Bishop	Farr	Hinds	J. L. Perry	Wakeman
Blackstone	Ferris	Hoppin	Rouse	Ward
Bottum	Feller	Humphrey	Rowe	Welden
Bradley	Fisk	Ingersoll	Rumsey	Wheeler
Brayton	Fitzhugh	Kellogg	Ryan	Whiteside
Briggs	Fordyce	Lake	Severance	Yeomans

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For NOBLE S. ELDERKIN,

H. J. Allen	Congdon	Kinsley	Pool	E. T. Smith
R. Babcock	Davis	Lawyer	Rider	Snell
Barnes	Denison	Le Roy	Robinson	Stewart
Bowne	Doyle	Lewis	Rockwell	Stillwell
Burroughs	French	Maurice	W. Russell	Stratton
Bushnell	Hatch	Minier	W. F. Russell	O. C. Thompson
J. F. Clark	Higby	Noble	Shall	Wooster
Coffin	Horton	E. Perry	Sickles	Wright
Colvin	Jayne			

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For HENRY J. ALLEN,

A. A. Thompson

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Mr. Raymond having received a majority of the whole number of votes cast was declared to be duly elected.

Mr. Varnum and Mr. Elderkin conducted the Speaker to the Chair, whereupon he delivered the following address :

Gentlemen of the Assembly : I tender you my thanks for the honor you have been pleased to confer upon me, and shall endeavor to discharge the duties, and to meet the responsibilities which that honor brings with it, by a careful attention to the progress of public business, and under a due sense of the importance of the trust which you have devolved upon me.

You will soon adopt rules for your guidance and government in the deliberations of the present session. I shall seek to give such vigorous, practical effect to those rules as will best attain the end they are designed to secure. I shall often need, gentlemen, and I do not doubt I shall always have, your most charitable indulgence in this endeavor.

Nothing, permit me to remind you, can more effectually promote the easy and beneficent discharge of public duty, than a prevailing sense of the magnitude of the interests committed to our care. Let us bear always in mind that we are making laws for the greatest, the richest, the most powerful of the American States—that the topics which will demand our attention are those which touch most nearly the dearest interests of three millions of people. That in regard to our sister states, and to the Federal Union, we have rights, relations, and duties which demand our care, and that our action here may shape the character, guide the growth, and control the destinies of this great State long after we shall have ceased to take any part in its affairs.

Under such a sense of the greatness and importance of our task, and with proper dependence upon the wisdom that cometh from above, let us address ourselves to the duties that lie before us.

A committee from the Senate appeared and announced that that body was ready to proceed to business.

On motion of Mr. Elderkin,

Resolved, That the rules and orders of the last Assembly be adopted for the government of this House until otherwise ordered.

On motion of Mr. Wheeler,

Resolved, That the House do now proceed to elect a Clerk ; that the list of members be called, and that each member as his name is called rise in his place and openly nominate the person whom he desires for Clerk.

The Clerk then proceeded to call the list of members, and they rose in their seats and nominated as follows :

For RICHARD U. SHERMAN,

O. Allen	Campbell	Gleason	Leggett	Sherman
Anthon	Carrington	Graham	Lesley	Shultes
Atwood	Chamberlin	A. A. Gregory	Lyon	A. Smith
J. W. Babcock	Cooke	W. S. Gregory	McLouth	Southwick
Backhouse	Corser	Greene	Macomber	Stevens
Baker	Dewey	H. Harria	Moss	Swords

Belknap	Douglass	L. Harris	Nelson	Townsend
J. Benedict	Ellwood	Heath	Norton	Tuthill
T. H. Benedict	Ely	Hewit	Pardee	Underwood
Bird	Farr	Hinds	J. L. Perry	Varnum
Bishop	Ferris	Hoppin	Raymond	Wakeman ;
Blackstone	Feller	Humphrey	Rouse	Ward
Bottum	Fisk	Ingersoll	Rowe	Welden
Bradley	Fitzhugh	Kellogg	Rumsey	Wheeler
Brayton	Fordyoe	Lake	Ryan	Whiteside
Briggs	Gilbert	Langdon	Severance	Yeomans
Cady				

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For JAMES R. ROSE,

H. J. Allen	Congdon	Jayne	Pool	Snell
R. Babcock	Davis	Kinsley	Rider	Stewart
Barnes	Denison	Lawyer	Robinson	Stilwell
Bowne	Doyle	Le Roy	Rockwell	Stratton
Burroughs	Elderkin	Lewis	W. Russell	A. A. Thompson
Bushnell	French	Maurice	W. F. Russell	O. C. Thompson
J. F. Clark	Hatch	Minier	Shall	Wooster
Coffin	Higby	Noble	Sickles	Wright
Colvin	Horton	E. Perry	E. T. Smith	

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Mr. Speaker then declared Mr. Sherman duly elected Clerk of the House.

Mr. Sherman thereupon appeared and took the constitutional oath of office and entered upon the discharge of the duties of his office.

On motion of Mr. Wakeman,

Resolved, That Willett B. Goddard, of Tompkins county, be and he is hereby appointed Sergeant-at-Arms of this House.

Mr. Goddard then came forward and took the oath of office.

Mr. Cady offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That Samuel R. Tuell be and he is hereby appointed Doorkeeper to this House.

Mr. Elderkin moved to amend by striking out the name of "Samuel R. Tuell," and inserting that of John K. Anderson.

Mr. Speaker put the question whether the House would agree to the said amendment, and it was determined in the negative.

{ AYES 81 }
{ NOES 39 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Congdon	Lawyer	Robinson	Stewart
R. Babcock	Denison	Le Roy	Rockwell	Stilwell
Barnes	Doyle	Lewis	W. Russell	Stratton
Bowne	Elderkin	Maurice	W. F. Russell	A. A. Thompson
Bushnell	Hatch	Minier	Shall	O. C. Thompson
J. F. Clark	Horton	Noble	Sickles	Wooster
Coffin	Jayne	E. Perry	E. T. Smith	Wright
Colvin	Kinsley	Pool	Snell	

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O. Allen	Campbell	Graham	Leggett	Shultes
Anthon	Carrington	A. A. Gregory	Lesley	A. Smith
Atwood	Chamberlin	W. S. Gregory	Lyon	Southwick
J. W. Babcock	Cooke	Greene	McLouth	Stevens
Backhouse	Corser	H. Harris	Macomber	Swords
Baker	Dowey	L. Harris	Moss	Speaker
Belknap	Douglass	Heath	Nelson	Townsend
J. Benedict	Ellwood	Hewit	Norton	Tuthill
T. H. Benedict	Ely	Higby	Pardee	Underwood
Bird	Farr	Hinds	J. L. Perry	Varnum
Bishop	Ferris	Hoppin	Rouse	Wakeman
Blackstone	Feller	Humphrey	Rowe	Ward
Bottum	Fisk	Ingersoll	Rumsey	Welden
Bradley	Fitzhugh	Kellogg	Ryan	Wheeler
Brayton	Fordyce	Lake	Severance	Whiteside
Briggs	Gilbert	Langdon	Sherman	Yeomans
Cady	Gleason			

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Mr. Speaker then put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Whereupon Mr. Tuell came forward and took the oath of office.

Mr. Backhouse offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That John Parks be and he is hereby appointed First Assistant Doorkeeper of this House.

Mr. Le Roy offered the following amendment : strike out "John Parks," and insert in lieu thereof, Matthew Higgins of Rensselaer.

Mr. Speaker put the question whether the House would agree to the said amendment, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Parks then came forward and took the oath of office.

Mr. Ingersoll offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That Thomas E. Osborn, of Madison county, be and is hereby appointed 2nd Assistant Doorkeeper of this Assembly.

Mr. Elderkin moved to amend by striking out the name of "Thomas E. Osborn," and inserting that of Thomas Hallenbeck.

Mr. Speaker put the question whether the House would agree to the said amendment, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Osborn then came forward and took the oath of office.

Mr. Macomber offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That a committee of two be appointed by the Speaker to wait upon his Excellency the Governor, and inform him that this House is organized and ready to proceed to business.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Speaker then announced Messrs. Macomber and Elderkin as such committee.

Mr. Burroughs offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the Speaker appoint a committee to wait upon the Hon. the Senate, and inform that body that this House is organized and ready to proceed to business.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Speaker then announced Messrs. Burroughs and Hewit as such committee.

The committee appointed to announce to the Governor that the Assembly was organized and ready to proceed to business, returned into the Assembly Chamber and reported that they had discharged the duty assigned them.

The committee appointed to notify the Senate that the Assembly was organized and ready to proceed to business, returned into the Assembly Chamber and reported that they had discharged the duty assigned them.

The private secretary of the Governor appeared in the Assembly Chamber and delivered the message of the Governor, which was received and read in the words following to wit :

Fellow-citizens of the Senate and the Assembly :

In taking a general survey of the condition of the Commonwealth, whose interests have been entrusted to your charge by a confiding people, we witness the most gratifying evidences of public prosperity. It is impossible to contemplate the varied blessings which have fallen to our lot, as a people, without emotions of fervent gratitude to the Supreme Being, whose benignant favor has protected and sustained us through all past vicissitudes.

The State continues to advance with august strides on its upward mission of freedom and civilization. The republican institutions reared by our ancestors, and preserved in full vigor by the enlightened vigilance of the people, have been vindicated by experience, as the system of government most favorable to the dignity and happiness of the human race. Some of those institutions were reformed and liberalized by our new Constitution. Political power was brought nearer the people, by investing them with the direct choice of their judicial and administrative agents, and it is a source of high felicitation that the successful result of this organic change has furnished fresh proof of the capacity of our citizens for an intelligent discharge of the responsibilities of self-government.

At no former period in our history have the affairs of the State presented a more encouraging aspect. The year which has recently closed was peculiarly prosperous and auspicious. The pestilence which visited our cities the previous year, and which continues its desolating ravages on some portions of the continent disappeared beyond our borders, and was followed by a season of unexampled public health. The earth yielded an unusual abundance to remunerate the toil of its cul-

tivators, and industry in other forms, including many branches of trade and manufactures, found active and profitable employment. With our rapid progress in wealth and population, it is gratifying to observe the constant advancement of our people in moral and intellectual improvement. The wider dissemination of knowledge among the masses, the influences shed abroad by our seminaries of learning, the constant increase of religious and benevolent institutions for the alleviation of human sorrows, the peaceful conquests of invention and the arts, all tend to elevate the condition of society and to strengthen the foundations of popular government. These genial influences, combining to augment the happiness and exalt the character of the State, have been cherished by the liberal spirit of past legislation; and I cannot too earnestly commend the enlightened action of your predecessors, in this regard, and especially in seconding the efforts of humane individuals to improve the moral and physical condition of the unfortunate and the humble, as an example worthy of your emulation.

It affords me much satisfaction to congratulate you on the sound and healthful condition of our State finances. It became my duty before retiring from the office of Comptroller, to prepare an annual report exhibiting the condition of the Treasury, and of the several funds at the close of the last fiscal year, to which, with the suggestions therein contained, I would respectfully invite your attention.

It appears that after meeting all the appropriations payable during the last fiscal year, from the ordinary revenues, there remained a balance in the General Fund at the close of the year, of \$54,521.28.

It is estimated that the receipts of the current year, from ordinary sources, will be sufficient to defray all the usual expenses of the State, and that the resources of the General Fund, as now established, will be found sufficient at all times for the support of the government without an increase of debt or taxation. There is an evident necessity, however, for economy in the expenditures; and I trust you will feel the importance of keeping the appropriations within the reliable means of the treasury. In addition to the ordinary current revenues, the Comptroller's report exhibits certain balances due to the General Fund from arrears of taxes and other sources, from which it is believed the treasury will realize over \$350,000 within the ensuing two years. It is with special reference to this resource that I deem it expedient in the present communication to recommend some appropriations for new institutions and improvements, which are conceived to be essential to the public welfare.

The aggregate amount of the State debt, on the 30th day of September last, was as follows:—

Canal debt,	\$16,171,109	16
General Fund debt,	6,359,698	32
	<hr/>	
	\$22,530,802	48
	<hr/>	

exclusive of the stock loaned by the State to certain railroad corporations. It will appear from the report of the Commissioners of the Canal Fund, that the operations of the Sinking Fund are steadily reducing the canal debt. The application of the canal revenues in the manner prescribed by the State constitution, will discharge the entire State debt now existing, in the year 1868.

Our canals continue to yield a rich return. The amount received for canal tolls, including interest, rents, &c., during the last fiscal year, was \$3,486,172.30, being a small increase upon the receipts of the preceding year. After paying all the expenses of superintendence, collection and repairs, and \$1,850,000 into the Sinking Funds and the General Fund, a surplus remained from the revenues of the last fiscal year of \$800,206.49, applicable to the completion of the Black River and Genesee Valley canals, and the enlargement of the Erie canal.

Previous to the last season of navigation, a considerable reduction was made by the Canal Board in the rates of toll on certain leading articles of transportation. Opinions will probably differ as to the precise effect of this reduction upon the trade and income of the canals; but it is generally believed that it attracted additional tonnage sufficient to equalize the diminution of revenue.

Serious apprehensions are entertained that the trade of the Erie canal will be impaired by the competition of railroads and other rival avenues in and out of the State, unless early and effectually measures are adopted to cheapen the expense of canal transportation. It is conceded on all hands that no material reduction can be made in the cost of canal freight without reducing the rates of toll, until the enlargement of the Erie canal shall enable our forwarders to increase the capacity of their boats. This important object will be attained in a partial degree by the completion of the new locks, on the enlarged plan. The reconstruction and enlargement of these structures has been nearly perfected, and new locks on the large scale will be brought into use on the entire line of the Erie canal at the opening of navigation the coming season, with the exception of five which are located at points where the route of the canal is to be changed. These cannot be reconstructed and made available without the simultaneous construction of several miles of new channel, estimated to cost over a million of dollars. But it is proposed to lengthen the old locks at these points, by temporary structures in such manner that the entire canal may be navigated by boats having an additional length of 28 feet as compared with those

now in use. It is not to be disguised, however, that the enlargement of the locks renders a corresponding enlargement of the sections more necessary than before.

The quantity of water required for passing boats is greatly increased by the enlarged size of the new locks. It is found extremely difficult, and in some cases impossible, to force the necessary supply for this purpose through the narrow channel of the old canal. Much difficulty and embarrassment were experienced from this fact, during the last season of navigation. Notwithstanding the vigorous efforts of the Commissioners and their subordinates, it was found impracticable to sustain the necessary height of water on some of the long levels, and it resulted that boats were frequently grounded and the navigators were subjected to injurious delays, vexation and expense. There is no reason to believe that this embarrassment will continue to increase from year to year, until the enlargement of the entire canal shall have been completed.

How far the descending tonnage can be increased, while the canal retains its present limited dimensions, is a question which gives rise to some diversity of opinion. All admit that we have approached very near the maximum capacity of the old canal, during the spring and autumn months. That a large increase in the amount of tonnage, adequate to the rapid growth of our trade is practicable in the present condition of our canal navigation, cannot safely be assumed.

The future policy of the State in reference to the Erie canal and its enlargement, forms one of the most important and difficult subjects which will occupy the attention of the Legislature. I must ask you to enter upon its consideration with an enlightened appreciation of the momentous interests involved in your deliberations, and with an earnest purpose to adopt a line of action worthy of the past triumphs of the State in the consummation of great designs, and in some degree commensurate with its present power and its future destiny. It is difficult to form an adequate estimate of the benefits so vast and varied as our people have derived from the original construction of a water communication connecting the Atlantic with the western lakes. The effects of this great work upon the wealth, prosperity and advancement of the State, surpassed the most ardent anticipations of its early advocates. It has doubled the trade and population of our great commercial emporium; and if we but emulate the statesmanship of its authors by adequately increasing its facilities, it is destined to pour into our lap, during all future time, a stream of tribute rich and inexhaustible beyond any example in history, ancient or modern.

If we are not wanting in the wisdom and sagacity required to perpetuate the advantages so happily secured, no rival efforts can deprive us of our constantly growing commerce with the fertile States bordering on the great lakes and the upper Missis-

issippi. Limiting our view to the beneficial results of the Erie canal, within our own borders, we witness the creation of flourishing towns, the growth of cities; the conversion of vast forests into fruitful fields, the abode of a happy and virtuous yeomanry; the profitable employment of enterprise and industry in every form of production; and the consequent addition of hundreds of millions in value to the property of our citizens. It seems impossible that the people should forget the source of blessings like these, or neglect the means necessary for their preservation. In less than ten years after the completion of the canal, its revenues having returned to the treasury the entire cost of its construction, it was seen that an increased capacity must soon be given to it to accommodate the internal commerce, of which it was the outlet.

It is near sixteen years since the Legislature of 1835, after mature deliberation, determined to enter upon the enlargement of the Erie canal. I do not propose to review or discuss the changing policy which has retarded the prosecution of the undertaking. Our responsibilities relate to the present condition and future welfare of the State, rather than to past events which belong to the province of the historian. Since the work of enlargement was commenced we have expended upon it the sum of \$15,990,443.81. Some of the great objects of this expenditure cannot be fully realized until the work is completed. In the meantime the annual loss of interest on the amount invested at six per cent is over one million of dollars, to which must be added an annual loss of at least another million in the needless cost of transportation, which would have been saved by the completion of the enlargement; and these unnecessary sacrifices must increase, from year to year, with the tardy progress of the expenditure. The amount already lost under these heads cannot be less than ten or fifteen millions. The question then arises, how much longer shall this be borne?

According to the most recent estimates of the Engineer Department, it will require eleven millions of dollars to finish the enlargement of the Erie canal, and \$1,165,000 to complete the Genesee Valley and Black River canals. If we assume that the canal revenues, after paying the yearly contributions to the General Fund and the Sinking Funds required by the Constitution, will continue to yield a net surplus of \$800,000 per annum, it follows that the completion of this great undertaking, so urgently demanded by every consideration of public policy, must be postponed until the year 1866. A net revenue of \$1,000,000 per annum would effect the same object in 1863.

An important question is presented to the consideration of the people and their representatives, whether the consummation of the work shall be deferred for this long series of years, or whether some judicious and practical plan shall be adopted to ensure its completion at the earliest period consistent with

economy of expenditure and the due preservation of the public credit.

As an original question, free from the embarrassments which have been thrown around it by the financial provisions of the Constitution, the path of interest and duty would be too plain to admit of hesitation. Under the guidance of Clinton and his compeers, the Erie canal was constructed in a period of less than eight years, in the face of formidable obstacles, in defiance of a powerful opposition, and amid the doubts and embarrassments always attendant upon a bold and untried experiment. Genius and energy triumphed over every difficulty. This grand result was achieved at a time when the State was comparatively feeble in resources. Since that day our population has advanced to upwards of three millions, and the wealth of the community has been multiplied more than four-fold.

It is indeed remarkable, after an experience like ours, that any portion of our people should deem it wise or necessary to occupy a quarter of a century in enlarging and perfecting a work, which was constructed originally under circumstances far more difficult, in less than one-third of that period. It becomes necessary in our deliberations on this subject, to consider the effect and operation of the financial provisions embodied in the Constitution of 1846.

Not only are a large portion of the canal revenues specifically set apart for the payment of the existing debt, but the power of the Legislature to create new liabilities (beyond \$1,000,000) is virtually annulled. These constitutional provisions are the supreme law, and must be observed with scrupulous fidelity. Although their operation may thwart or defeat objects of the highest public concern, so long as they remain in force, they are not to be evaded or disregarded.

It is important therefore to enquire whether by any and what safe means, consistent with the constitutional restrictions referred to, the early completion of the enlargement may be ensured? Three distinct modes have been suggested for the attainment of this object, each of which will doubtless receive your careful consideration. By the first it is proposed to obtain the necessary funds by an issue of certificates transferring in advance, for a sufficient series of years, that portion of the canal revenues which is devoted by the Constitution to the enlargement of the Erie canal. That it is within the competency of the Legislature to dispose of this part of the tolls, in the manner indicated, is confidently asserted by some of our ablest jurists. It is obvious, however, that an absolute sale of the revenues, at the risk of the purchaser, without recourse to the State, is the only mode by which they can be realized in anticipation, without a violation of the provision restraining the creation of a new debt. A mere pledge of revenues, as a security for moneys advanced on them, would constitute a debt against the State, in a new and unusual

form. An unconditional transfer of the future tolls involves practical difficulties which cannot be disregarded.

It may be doubted whether the necessary advances could be obtained on this basis, on terms satisfactory to the State. Capitalists would naturally require either the ultimate guarantee of the State that the revenues shall prove adequate, or a stipulation that the rates of toll shall not be reduced below a certain scale. The first of these conditions is incompatible with the Constitution; the second is subject to serious if not conclusive objections. Important considerations of policy would dictate that the unqualified power of regulating the tolls should continue to reside in the Canal Board.

The next plan to be considered is the authorization of a loan under the 12th section of the financial article. Before a law for this purpose could take effect it must be submitted to the people for their ratification; and the Constitution requires that every such law "shall provide for the collection of a direct annual tax to pay the interest on the debt as it falls due."

No sufficient reason, founded in equity or expediency, can be assigned for the imposition of a direct tax upon the State at large to pay interest on any portion of the cost of the enlargement, when the canal revenues are fully adequate to that object. Whilst all sections of the State are interested in the early consummation of the work, and will derive large benefits from the increased revenues which it will yield, a direct tax would operate unequally and unjustly, and would be unacceptable to the counties remote from the line of the improvement.

The third and last resort, is an amendment of the Constitution in the manner prescribed by the instrument itself.

Whatever diversity of opinion may exist in regard to the wisdom of the policy which governed the convention of 1846 in this respect, I cannot doubt that a large majority of our citizens of all parties, in view of the steadily increasing revenues of the canal would now unite in conferring upon the Legislature the necessary authority to create a loan of seven or eight millions on a pledge of the surplus revenues, for the early completion of the enlargement. The proposition to be submitted for this purpose should include a provision requiring an additional contribution from the canal revenues to the Sinking Fund, sufficient for the payment of interest on the new loan, and eventual reimbursement of the principal. To give effect to the amendment under consideration, it must be agreed to by two successive Legislatures, and then approved by a majority of the people.

If the amendment should be adopted by the present and succeeding Legislature, and then sanctioned by the people, the Legislature of 1853 would be enabled to create the loan, and the final completion of the enlargement would be accomplished before the opening of navigation in 1856.

I am aware that the sentiment of our people is adverse to the

accumulation of a large public debt, and none will deny the propriety of exercising such precautions as are needed to prevent the imposition of heavy taxes on the present or future generations. It is believed, however, that a resort to the public credit for means to expedite the enlargement of the Erie canal, is free from the objections commonly urged against an increase of the State debt. Such a loan would expose the people to no new burthens. The present revenues of the canal are sufficient to ensure the discharge of the new liability, and of our existing debt, at no distant period. It has been shown that the present money value of the canals, adopting the average revenues of the last five years, is equal to a capital of \$41,967,414.50, at six per cent interest. The completion of the work for which the loan is needed will add largely to the financial resources of the treasury. There is a wide distinction to be observed between debts judiciously made in furtherance of trade and intercourse, and the gigantic debts which weigh down the people in most of the European nations. The former serve to develop latent resources and open new fountains of wealth, creating the revenues required for their extinguishment, and infusing fresh vigor into all the elements of public prosperity. Widely different is the influence of a public debt, originating in wars of ambition, in the profligacy of courts, or the vanity of princes. Expenditures of this nature yield no return, and the burthens resulting from them press with crushing force upon the toiling millions, from age to age. I entertain a firm conviction that the enlargement of the canal will produce a large increase of revenue, furnishing all the means required to pay the cost of the work, and that its income, after paying the debt, will ultimately relieve our citizens from taxation for support of government, and at the same time yield ample fund for the support of education and the prosecution of new improvements. A question like this, so eminently practical, and surely within the comprehension of a sagacious population like ours, may safely be left to their own intelligent decision.

The funds dedicated to the support of education are in a flourishing condition. The capital of the Common School Fund, on the 30th of September last, was \$2,290,673.23—being an increase from the preceding year of \$47,190.87. The revenues for the last fiscal year including \$165,000 from the Deposit Fund, was \$300,792.10. The increase of this fund, and of its income, will justify you in increasing the amount of the distribution among the common schools from \$285,000 to \$300,000 per annum.

It appears from the latest returns to the Superintendent of Common Schools that there are in the State 11,397 school districts; that the whole number of children taught therein, in the year 1849, was 749,500, of all ages; and that the whole amount paid for teachers' wages during that year was \$1,322,696.24, of which \$767,389.20 was contributed from the State Treasury, and raised by county and town taxation.

ledge and elevate the condition of the people. In its formation I would recommend an additional department for instruction in the mechanic arts. Identified in interest, each imparting strength and vigor to the other, the agricultural and mechanical classes combined may be said to constitute the substantial power and greatness of the commonwealth. The free spirit of our institutions and the incentives to effort in which this country abounds, are peculiarly favorable to the development of inventive genius and rapid advances in the useful arts. Our unparalleled progress may be attributed in no small degree to the successful skill of our artizans in originating and perfecting the varied improvements which increase the productiveness of labor in most branches of human industry. Yet from the nature of their pursuits and the necessity which subjects them to a life of toil, too many of our youthful mechanics are deprived of those means of intellectual improvement which the State has provided for other professions. The beneficial effects of an agricultural and mechanical school will not be limited to the individuals who may participate directly in its privileges. The students graduating from such an institution, elevated in character by moral and intellectual training, and endued with that knowledge of the natural laws and practical sciences which unites manual labor with the highest exercise of the reasoning faculties, will become teachers in their turn, imparting to those around them the light of their own intelligence, and conferring dignity upon the common pursuits of industry by an example of honorable usefulness, in their varied occupations. The elevation of the laboring classes is an object worthy of the highest ambition of the statesman and the patriot. Under our republican system of government the political power of the State must always reside among the men of industry and toil, whose virtuous energy is their best patrimony. The intelligence which qualifies them for the duties of self-government, affords the only sure guarantee for the perpetuity of our free institutions.

The condition of the charitable establishments sustained in whole or in part by the bounty of the State, will be exhibited by the annual reports of the several institutions. The Asylum for the instruction of the Deaf and Dumb, and the Institution for the Blind, continue to be a source of inestimable blessings to the unfortunate beings who, in the dispensations of our common Father, have been deprived of the best faculties of man. The New-York Hospital is in a highly satisfactory condition, and its enlightened management has contributed largely to the relief of human suffering. I consider these institutions worthy of the fostering patronage of the Legislature. The administration of the State Lunatic Asylum at Utica, is eminently successful. On the 30th of November, the number of inmates was 429; the number admitted during the year was 367; the number discharged was 336, and of deaths 51. Of the patients discharged from the institu-

tion, 171 were fully restored to reason, and 49 were improved but not entirely recovered. Dr. Benedict, the present superintendent, has afforded high evidence of his capacity to carry forward the work of benevolence and humanity so nobly begun by the lamented Brigham.

I deem it my duty to renew the recommendation made by my predecessor to the last Legislature, of the establishment of an institution for the instruction and improvement of idiots. This unfortunate class of beings, whose deplorable condition excites the sympathy of every heart, have been too long overlooked in our legislation for the relief of the helpless. Until within a recent period, it was the general belief that the idiot, apparently bereft of intellect, is not susceptible of moral or mental improvement. But experience has demonstrated that he retains some latent germs of intelligence which may be developed by patient culture, and that he may be subjected to healthful discipline, employed in useful labor, and raised to a condition of comparative comfort. Great success has attended the institutions established for the instruction of this class of sufferers in France, Germany and England. A similar school, recently formed in Massachusetts, has been attended with the most satisfactory results. I commend these facts to your attention, convinced that considerations of policy and humanity should prompt you to rear an institution which will complete our system of public charities, and exalt still higher the character of the State for beneficence and philanthropy.

The condition of the State Prisons will be fully presented in the annual report of the Inspectors. The Sing Sing and Clinton prisons continue to be a heavy charge on the treasury, though it is but just to remark that much of the large expenditure at the former establishment, during the past year, was occasioned by the erection of permanent buildings. It is gratifying to observe that in all our penitentiaries an admirable system of discipline prevails, conducive to the physical comfort and moral welfare of their inmates.

I would respectfully call your attention to the importance of enlarging the House of Refuge for the Reformation of Juvenile Delinquents in the city of New-York. The number of delinquents is constantly increasing, while the accommodations of the institution have not been materially extended since its foundation. The managers have found it necessary to notify the Sheriffs of counties that no more delinquents can be received, until further notice; and a large number of youthful convicts are consequently committed to the prisons. The crowded state of the establishment baffles the efforts of the managers to classify offenders; and the erring youth, whose wanderings may be traced to early destitution or abandonment is brought into intimate association with the hardened criminal. Thus the humane design of the institution, the reformation of juvenile offenders, is in a

great degree defeated. These evils require a prompt and adequate remedy. The Western House of Refuge has been brought into use under circumstances which give assurance of satisfactory results. The admirable structure and arrangement of the establishment, and its successful administration thus far, reflect credit upon the Trustees who have been prompted to give their time and efforts to this noble undertaking by a spirit of enlightened and disinterested philanthropy. I refer you to the report of the Trustees for the progress and present condition of the institution, and respectfully recommend such further appropriation as may be necessary to complete the new erections commenced last year.

The present condition of our militia establishment, and of the military property belonging to the State, will be exhibited in the annual reports of the Adjutant General and the Commissary General. To preserve the efficiency of the militia system by laws calculated to excite and cherish a military spirit in the ranks of our citizen soldiery, always the main strength and reliance of the country in time of war, is an object eminently deserving the attention of the Legislature.

The law of 1849, in relation to emigrant passengers, providing for the relief of the sick and destitute among them by a tax, intended to protect the community from unjust and oppressive burdens, has been efficiently administered and continues to produce favorable results. It is to be regretted that existing legal provisions have not, in all cases, furnished adequate protection against the practice of frauds on those unfortunate emigrants, destitute of friends and ignorant of our laws, who are constantly landing on our shores, and if practicable, further legal protection ought to be provided.

The last Legislature, acting in pursuance of the humane suggestions of my predecessor, passed a law designed to secure to each family which possesses a freehold estate, a home of limited value, in case of the embarrassment or bankruptcy of its head. It is represented that the clause requiring a special registry of each homestead intended to be held subject to this exemption, renders the law practically inoperative from the aversion felt by most men in good credit to advertising an apprehension of insolvency. I would respectfully submit to your consideration whether the benevolent principles of the law should be made to depend upon a condition with which most men will omit to comply. In other words, ought not the rule and the exception to be reversed?

I would also suggest that the exemption afforded by this law ought not to include debts contracted previous to the purchase of the estate by the debtor. Justice, no less than sound policy, dictates that neither temptation nor opportunity should be given for the practice of fraud upon confiding creditors.

I would respectfully recommend that an adequate appropria-

tion be made for a more complete exploration of the lands belonging to the State, in the northern counties, with a view to plank roads and other facilities of access. It is believed that by improving the means of communication, some large tracts might be brought into market and sold for actual cultivation. The settlement and improvement of these remote forests is a matter of much public importance, and should be encouraged by a liberal policy. The land should be divided into convenient farms, and offered to actual settlers for small prices, intended only to indemnify the treasury for actual expenditures. However desirable it may be deemed, under monarchical governments, to have the national domain held by a few, it is important in a republic, that it should be divided, as far as practicable, among the many. Resolutions were adopted by the last Legislature, with signal unanimity, in favor of opening the public lands of the Union, without price, to landless settlers. Those resolutions, in their general scope and purpose, have my hearty concurrence. Some of the evils resulting from large landed accumulations, and especially from extensive leasehold estates, have been fully realized in this State. Our new constitution has wisely abolished feudal tenures, and prohibited the future creation of perpetual leases. Contracts of this nature, made at an anterior period, in harmony with laws then existing, have been and must be respected in all our legislation. It can hardly be doubted that the occupation of the large manors in this section of the State, under the system of perpetual leases adopted in the early settlement of the country, has been highly detrimental to the interests of both proprietors and tenants, for some years past. Non-payment of rent, litigation, resistance of law, irregular combinations and popular discontent, in its most repulsive form, have checked our progress and disfigured our public history. I consider it of much importance that these evils should be remedied by just and liberal arrangements, which shall respect the rights and promote the true welfare of both parties. The perpetuation of leasehold estates, embracing a large agricultural population, is repugnant to our national policy and to the liberal spirit of our institutions. It is a kind of tenure which has become odious to tenants, exceedingly inconvenient and expensive to landlords, and every way adverse to the interests of both.

The manly independence which belongs to the character of an American citizen, demands the absolute control and ownership in fee of the soil, improved and cultivated by his labor, and on which he is to spend his life and rear his children. Experience has shown that leasehold estates are peculiarly unfavorable to the development of the country and the progress of the people in improvement and enterprise.

It is to be hoped that such liberal terms of sale will be offered by landlords, and accepted by tenants, as shall soon put an end to a tenure which ought no longer to be desired by either. It

is worthy of your consideration whether this desirable result may not be promoted by the friendly mediation of the State, on principles having the free assent and voluntary concurrence of both proprietors and occupants. A purchase of the manorial titles by the State, and a re-sale to the tenants on equitable terms, would be preferable to the present state of things. All remedies inconsistent with those rights of property and the obligation of contracts which are secured by law, and which government is bound to enforce, must be delusive and impracticable. The sanctity of private rights and the supremacy of the law must be maintained under all circumstances. Consistently with these principles, which I hold to be paramount and inviolable, I believe it is practicable to terminate the evils complained of, provided the parties to be affected will adopt a rational view of their own interests, and co-operate in an equitable and enlightened system of adjustment.

The condition of our statute laws will require your most serious consideration. At present great uncertainty exists and great difficulty frequently arises in ascertaining what is the law upon many questions relating to the rights and interests of our citizens, and to the duties and powers of public officers. This difficulty is most severely felt in the interpretation of the statutes relating to the administration of justice. The Revised Statutes are partially in operation: the judiciary acts of 1847 and 1848, with the subsequent amendments to them, are also in operation to some extent, and the Code of Practice effects changes not only in remedies but in rights, sometimes abrogating previous amendments wholly, sometimes modifying them, and often introducing provisions which limit or qualify their operation. That code was not a complete system in itself, but assumed the existence of extensive legal principles and of a knowledge of the practice and pleadings prevalent when it was adopted. It was a series of amendments to the existing law, operating in form upon remedies, but in reality often upon rights, so far as they were affected by the remedy. It was, therefore, circumscribed and partial in that class of cases. The commissioners doubtless considered it beyond the limits of their authority to make general and comprehensive provisions, in respect to the rights thus affected.

The vast and alarming increase of litigation which seems to overwhelm some of the courts, and threatens to obstruct the administration of justice, particularly in the court of last resort, has doubtless arisen in some degree from this uncertainty. My acquaintance with the practical operations of the new provisions referred to, does not qualify me to pronounce upon their merits, nor do I feel competent to judge how far the complete code of practice reported by the commissioners, is calculated to remedy the evils under consideration. But it is evident that our system of laws cannot be complete until an entire harmony is produced between the principles introduced by the code of practice and

our general statutes. They must in some way be adapted to each other. This was probably intended to be effected by that provision of the Constitution which required the appointment of commissioners to reduce all the Laws of the State to a system. The considerations I have already suggested render this a duty of pressing importance. The prompt organization of such a board would relieve the Legislature from applications for partial and imperfect amendments, and if we should not obtain a complete body of the whole law, such as was contemplated by some at the adoption of the Constitution, we may at least hope for a revision and condensation of our statutes. The last Legislature adjourned without acting on the final report of the Commissioners on Practice and Pleading. It will be your duty to take such action as will ensure a deliberate examination and thorough analysis of this new code of civil procedure, with a view to its adoption, in such form as may receive your sanction, at the earliest practicable period.

I am of opinion that the multiplication of suits in the supreme court, which produces serious delays in the course of justice, would be essentially diminished by restoring to the county courts a more extended civil jurisdiction. As the county judge is required to hold courts of general sessions for criminal business, at which juries are necessarily in attendance, the public convenience would be greatly promoted by conferring jurisdiction in ordinary civil cases. Serious doubts have existed concerning the constitutional power of the Legislature in this respect. It appears to me that the decision of the supreme court, in two districts, after full deliberation, sustaining the constitutionality of the act of 1847, conferring civil jurisdiction on the county courts in special cases, should be deemed sufficient to put the question at rest.

I deem it my duty to call your attention to an important defect in the statutory provision for the punishment of embezzlement as a crime. The operation of the law is confined to the officers, agents, clerks, or servants of private persons and of incorporated companies. It is manifestly proper, if not necessary, that this provision should be extended to include all public officers who may be charged with the collection or custody of moneys, whether belonging to the public or to individuals.

I concur in the views submitted to the Legislature in the last message of my predecessor, in favor of the erection of a new and convenient building for the State Library. The present accommodations are altogether inadequate, and the difficulty is increasing with the extension of the library from year to year.

The alarming increase of bribery in our popular elections, demands your serious attention. The preservation of our liberties depends on the purity of the elective franchise, and its independent exercise by the citizen; and I trust you will adopt such

measures as shall effectually protect the ballot box from all corrupting influences.

Our circulating medium is believed to be in a sound condition. The report from the Bank Department exhibits a large increase of banking capital, under the general law, during the last year. The gradual reduction of our State debt, makes it necessary that some other form of security should be accepted as a basis for circulation. I would respectfully recommend the admission under proper restrictions, of the stocks created by the incorporated cities of this State. In this connection I must invite your attention to the provision of the Constitution making it the duty of the Legislature to restrict the powers of cities in respect to taxation, assessment, borrowing money, contracting debts and loaning their credit. The performance of this duty ought not to be longer deferred.

The growing importance of the Bank Department, the vast extent of its operations and the peculiar responsibility attending them, render it important in my judgment that this Department should be detached from the office of the Comptroller, already overburthened with duties, and erected into a distinct office, to be placed under the charge and direction of a competent commissioner.

The oppressive and unequal operation of the laws regulating the assessment of property, is a subject of general and just complaint. A large share of the personal property escapes assessment altogether, while in many portions of the State, real estate is estimated by the assessors at less than half its actual value. To the extent that a portion of the taxable property of the State escapes assessment, the burthen of taxation is unjustly increased on the remainder. These evils demand an effective remedy. A careful revision of the existing laws has become indispensable, and I trust the subject will engage your early and earnest attention.

In compliance with section five of article four of the Constitution, I communicate herewith a statement of reprieves, commutations, and pardons, granted during the past year, by my predecessor.

Your attention is requested to the difficulties which have recently arisen between our citizens residing in Richmond county, and the inhabitants of New-Jersey, in reference to the oyster fisheries in New-York and Newark bays.

Since the adjournment of our last Legislature, the grave questions respecting the organization of the newly acquired territories of the Union, which had for some years involved the country in agitation and strife, have been definitely acted on by Congress. California has been welcomed as the thirty-first of the States composing the Federal Union; the disputed boundary of Texas has been settled; while New-Mexico and Utah have been organized by acts which in effect leave the Mexican law prohibiting

slavery in force, and refer the question of its admission or exclusion to the ultimate decision of the people concerned. It is generally believed that the public sentiment in these newly organized communities, co-operating with other causes, will prevent the introduction of slavery, from which the country was exempt when it was conquered by our arms.

Notwithstanding the violent discussions which have agitated the country, and the wide diversity of opinion which existed in respect to the questions involved in the recent action of Congress, a general disposition is evinced to acquiesce in the measures referred to, and to regard them as a final settlement of these territorial controversies. The people of this State continue to indulge a strong desire that harmony and mutual good will may prevail between all portions of our widely extended republic. They are a law-abiding people; they cherish the most friendly sentiments towards their brethren of the South; and have always conceded to the slave States the entire right to maintain and regulate slavery within their own limits, and to exercise all those rights without abridgment or hindrance which the Constitution confers. More than this ought not to be claimed or expected.

It is a source of profound surprise and regret, that any portion of the people of the southern States should find, in the terms of settlement finally agreed upon by Congress, an occasion for the continuance of sectional jealousy, or a supposed necessity for nurturing the spirit of disunion. In the admission of California and the organization of governments for the territories, Congress adopted the principle, originally contended for by many leading statesmen of the South, of leaving the matter to the uncontrolled action of the people themselves. I cannot but persuade myself that the feelings of alienation exhibited by some of our fellow-citizens in the southern States, must proceed from an unhappy misconception of the views and sentiments entertained by the northern people. Great injustice is done in assuming that we have intended or now meditate encroachments upon the just rights of any portion of the confederacy. During the entire period of our national history, the people of New-York have manifested a spirit of kindly deference to the feelings and prejudices of our sister States, and a readiness to sacrifice every thing but principle and honor for the sake of union and concord. Their course has been distinguished by a broad spirit of nationality, elevated far above the indulgence of local views or sectional partialities.

The limits of this communication will not permit me to recall all the evidences in which our history abounds of the generous spirit of concession which New-York has uniformly manifested, as a prominent member of the Federal Union. For more than three-fourths of the period which has elapsed since the adoption of the Constitution, southern statesmen, elevated by the aid of her

voice, have filled the Presidential office. Every peaceful extension of our southern territorial limits were made with her concurrence, until by successive steps all the slave territory on the North American Continent was brought within the boundaries of the United States. Although every new acquisition diminished the relative weight of New-York in the National Councils, she waived all views of State power or aggrandizement, and yielded to the considerations urged by other sections in favor of annexing the contiguous countries.

Nor is this all. Far from invading any of the constitutional rights of the southern States, our people and their representatives have always respected those rights, and abided cheerfully by all the conditions of the federal compact. It should not have been regarded as an encroachment upon the rights of any State, that we objected to the extension of slavery over a country acquired by our common efforts, and which had been made free by the action of its own legitimate authorities. No wrong was inflicted upon any State by the effort to give to the people of the conquered territories a government best adapted to their sentiments and their future happiness. By the ordinance of 1787, a large portion of the American people had declared their conviction that slavery ought not to be extended over free territory: but the exclusion of that institution from the States of the northwest was not then deemed sufficient to prevent the formation of the Federal Union. The same sentiment still exists in the northern mind, to be manifested whenever and only when its exercise is provoked by new aggressions; and I cannot concede that it affords any ground of complaint on the part of any of the States, still less that it can justify secession, revolution, or any effort to overthrow the free Constitution established by our fathers.

I have thus adverted to the course of this State in its national relations, from no desire to revive past discussions; but from a conviction that it is due to our people to vindicate them from imputations of sectional prejudice, indifference to Constitutional obligations, or hostility to the rights of other portions of the republic. If there is danger to the Union from any quarter I rejoice to say that it will not be found within our borders. Men of extreme opinions may be found in every community; but the great body of the people of New-York are aware that the Constitution of the United States was framed and adopted in the spirit of compromise, and that it must be faithfully maintained in the same spirit. They are attached to the Union; they cherish an ardent devotion to it; and desire to see it preserved by manifestations of mutual deference and regard between the states composing it.

Although New-York might maintain a respectable attitude before the world, and would not fail to preserve her liberties as an independent State, she would regard a dissolution of the Union from any cause as the greatest calamity which could befall man-

kind. Whenever the American Union is destroyed the cause of constitutional government will be perilled by the shock, and the friends of liberty every where will mourn over the fall of a mighty fabric which now animates the hopes and commands the admiration of the world. Every patriot must desire that all causes of irritation or disagreement between the different parts of our common country may speedily disappear. It should be the aim of all to allay sectional animosities, and to restore those kindly sentiments which united our ancestors in noble efforts and common trials. The questions resulting from our recent conquests having been disposed of by the action of Congress, there can be no sufficient cause for jealousies and dissensions between the North and the South. The most serious of our past differences were produced by territorial acquisitions, and they strikingly admonish us that it is indispensable to our future peace and happiness that bounds should be set to the spirit of conquest; and that the energies of the general government should be directed to those great and beneficent objects in which all sections have a common interest and for which the Constitution was intended.

The provision of the federal compact requiring the return of "fugitives from labor," however repugnant to the sentiments of many of our people, is of paramount authority, and like every other constitutional obligation should be observed in good faith. In legislating upon a subject of such difficulty, it was obvious that more than usual care was necessary that in enforcing the claims of one section of the country, we should not trespass upon the rights of the other. While the claim of the southern slaveholder to recapture his slave is fully admitted, the right of the northern freeman to prove and defend his freedom is equally sacred. Both are alike under the protecting care of our common constitution.

It cannot be denied that the recent act of Congress for giving fuller effect to the provision requiring the return of fugitive slaves has excited dissatisfaction in many portions of the country, carrying them almost to the extreme of threatening resistance to the law. But all good citizens will recollect that whatever may be their individual feelings or opinions in regard to the policy or propriety of any legislative enactment, it is their plain duty, so long as it remains in force, to sustain the authorities legitimately charged with its execution. Apprehensions have been entertained that under the hastily considered provisions of the act, passed during a period of unusual agitation, persons of color claiming to be free, and really free, are not allowed those reasonable opportunities and those customary legal safeguards necessary to enable them to establish by adequate proof the fact of their freedom. A recent case has shown this belief to be not merely speculative, and that the danger that a freeman under the summary mode in which that law can be executed, may be hurried into captivity, is not wholly imaginary. We cannot and

we do not believe that the south, any more than the north, aims at or desires such a result—or will insist on retaining provisions leading to such exciting consequences.

We shall rely not only on their sense of propriety and reciprocal justice, but their calm conviction that the law itself, to be permanent, must be reasonable, for their uniting, after due reflection, with their brethren of the North in a kind and dispassionate spirit, in reviewing such clauses as may be found defective or objectionable, and in consenting to such judicious modifications as may command general approval. In the meantime, our people must be left free to examine its provisions and practical operation. Their vital and fundamental right to discuss the merits of this or any other law passed by their representatives, constitutes the very basis of our republican system, and can never be surrendered. Any attempt to restrain it would prove far more dangerous than its freest exercise. But in all such discussions we should divest ourselves of sectional or partisan prejudice, and exercise a spirit of comprehensive patriotism, respecting alike the rights of every portion of our common country.

Before dismissing the subject of our federal relations, I deem it my duty to advert to the serious evils which some of our most important interests have suffered from the failure of Congress to extend that protection to domestic industry which experience has shown to be necessary to sustain certain branches of manufactures against foreign competition. We see the effects of the tariff of 1846, in the suspension of many establishments, not only in our own, but our sister States, involving large investments of capital, depressing not only the labors of the manufacturer and mechanic, but impairing the market they had created for the products of our agriculture. It is reasonable to hope that this state of things, so injurious and unnecessary, may be remedied in some degree at least, by judicious and timely action in Congress.

The interests of this State, in common with other sections of the country, have also suffered much detriment from the neglect of the General Government to make appropriations for the improvement of lake harbors and the removal of obstructions in the Hudson river. For more than twelve years, the great power conferred on Congress by the constitution to aid and protect navigation on our national channels of commerce, has virtually been held in abeyance, dormant and unexercised. This dereliction of duty has caused great embarrassment to all the interests connected with our internal trade. It has compelled the State to incur a heavy expenditure which should be borne by the federal treasury. The canal authorities are now engaged in the construction of an expensive pier at the harbor of Buffalo, for the safety and accommodation of the lake shipping entering at that port. The expense of this work is estimated at over \$200,000. An account of this expenditure will be kept under

the directions of the Canal Board, and at a proper juncture, the amount expended ought, and doubtless will be refunded to the State by the general government. Every consideration of interest and duty demands that the powers belonging to Congress for the regulation and protection of commerce, should be steadily and vigorously exercised by such constitutional action as may best advance the national welfare and fulfil one of the leading purposes of the federal compact. It is a subject of sincere congratulation, that under our beneficent system of government which commits to the people the choice of their rulers the federal administration has been entrusted to statesmen of large experience, expansive patriotism and sound national principles, and that we may look to them with confidence to give full effect to all measures which may be adopted by the representatives of the states and the people, calculated to protect the interests and promote the prosperity of the Union.

Since the adjournment of the last Legislature, the country has been called upon to mourn the loss of a beloved and venerated Chief Magistrate. ZACHARY TAYLOR, the hero without fear, and the patriot without reproach, whose exploits had won the admiration, while his virtues gained the affections of his countrymen, was summoned to his fathers. He went down to the grave crowned with honors, and lamented by a grateful people, to whose glory and welfare his life had been devoted. By this afflictive dispensation of Providence, the duties of the Chief Executive office were devolved upon an eminent citizen of our own State, in whose patriotism the people have long reposed the highest confidence.

It affords me pleasure to state that arrangements are in progress for sending forward numerous specimens of American skill and workmanship to be displayed at the exhibition of the works of industry of all nations, to be holden in London in May next. Many of the manufacturers and artisans of this State, prompted by a spirit of liberality and national pride, in the highest degree creditable to their patriotism, have determined to furnish a variety of articles intended to present a favorable view of the progress of the useful and ornamental arts in this country. In an enterprise so honorable to the age, and so well calculated to promote the interests of peace and civilization throughout the world, the State should not fail to evince an interest by extending every reasonable facility and encouragement; and I would respectfully recommend that provision be made for the appointment of an agent to attend the exhibition and take charge of the various fabrics and productions which may be forwarded by our citizens.

In entering upon the discharge of the high trust committed to me by the people, it is due to the occasion no less than to my own feelings, to express my grateful sense of the public confidence, and to assure you that, with a sincere distrust of my ability, it will be my constant aim to perform my duty with

firmness and independence, and with an earnest desire to co-operate with you in all measures calculated to improve the condition, exalt the fame, or promote the happiness of our favored commonwealth.

WASHINGTON HUNT.

Albany, January 7, 1851.

On motion of Mr. Wheeler,

Resolved, That the message of the Governor be committed to a committee of the whole house, and that ten times the usual number be printed for the use of the members of this House, and three hundred and fifty for the use of his Excellency the Governor.

A communication was received from the State Superintendent of Common Schools, transmitting his annual report.

(See Doc. No. 21.)

On motion of Mr. Varnum,

Resolved, That five times the usual number of the report of the Superintendent of Common Schools be printed for the use of the Legislature, 250 copies for the Secretary of State, and one copy for each of the school districts and town superintendents of the State.

Mr. O. Allen offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the seats in the House shall be disposed of as follows, viz : The names of all the members shall be written on slips of paper of uniform size, each slip of paper folded with the name inside and placed in a box by a committee appointed by the Speaker; the members of the House shall then retire to the rear of all the seats, the Clerk shall then proceed to draw the names from the box, and the members shall select their seats in the order in which they are drawn, and each member on selecting his seat shall remain in the same until all the names have been drawn.

Mr. Wakeman offered the following amendment or substitute for said resolution, to wit :

Resolved, That the names of all the members of the House be placed upon ballots of uniform size, and so folded as to conceal the names, that these ballots be placed in a box and thoroughly shaken, and that this be done in the presence of the members under the direction of a committee appointed by the Speaker, and the Speaker shall take the box when thus prepared into his custody : that the members of the House be then requested to retire into the cloak-room or without the bar, and remain there until summoned by the Sergeant-at-Arms, who shall stand at the door of the cloak-room and immediately report to the Speaker the name of any member who shall enter the House without being thus summoned, and that the Clerk report to the Speaker when every seat in the House shall have been thus vacated ; that some person not a member nor an officer of the House, to be designated by the Speaker, then draw from the box without looking into it one ballot and hand the same to the Speaker, who shall examine it and hand it to the Clerk, who shall announce to the

Sergeant-at-Arms the name written upon it, and the Sergeant-at-Arms shall then call into the House the member thus designated, who shall forthwith choose a seat and sit in it until the drawing be closed, under penalty of forfeiting the seat, unless permitted by the Speaker; that when one seat shall have been thus chosen, and the choice announced by the member choosing it to the Clerk, by the Clerk to the Sergeant-at-Arms, and by the Sergeant-at-Arms to the members without the bar, and not before, another ballot shall be drawn and another choice made in the manner designated above; and the same process shall be repeated until the Speaker shall announce that all the names have been drawn, or all the seats chosen.

Mr. Ferris offered the following amendment, to wit:

Resolved, That for the purpose of securing an impartial distribution of seats, the names of each of the members shall be written upon a separate piece of paper, which shall be so folded as to conceal the names, and that the ballots thus prepared shall be placed in a box; that ballots shall in like manner be prepared containing the numbers of the seats, which shall be placed in another box; that when the ballots of names and numbers are thus prepared they shall be drawn as follows: the Speaker shall cause to be first drawn a ballot from the box containing the names of the members, to which the Clerk shall draw a number from the box containing the ballots of numbers, and the number so drawn by the Clerk shall be the number of the seat belonging to the member whose name shall be so drawn by the Speaker, and this process shall be continued until the seats are all drawn. That before the commencement of the drawing the members shall retire beyond the bar, and as a number is drawn to the name of each member, he shall be called by the Sergeant-at-Arms and take his seat.

Mr. Speaker put the question whether the House would agree to the said amendment, and it was determined in the negative.

After debate being had thereon, Mr. Allen accepted of the substitute offered by Mr. Wakeman, with a slight amendment thereto.

Mr. Varnum then offered the following amendment to the resolution of Mr. Wakeman, as amended, to wit:

That the House will take a recess from two o'clock until four o'clock this afternoon, at which time the above resolution shall be carried into effect.

Mr. Wakeman accepted of the said amendment.

Mr. Speaker put the question whether the House would agree to the said resolution, as amended, and it was determined in the affirmative.

On motion of Mr. O. Allen,

Resolved, Unanimously, That the thanks of this House be presented to James R. Rose, late Clerk of the Assembly, for the very able, courteous and impartial manner in which he has discharged his duties at the opening of the present session, and that in retiring from his official duties, he carries with him our best wishes for his future success and welfare.

Mr. Elderkin offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the Clerk of this House pay out of the contingent fund, to the officers of the last House actually in attendance for services performed at the commencement of this session, for as many days services as shall be certified by the Speaker the same per diem allowance as are allowed to members of the Legislature, and mileage.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

On motion of Mr. Moss,

Resolved, That the Clerk of this House be directed to invite the several clergymen of this City, having charge of congregations, to open the daily sittings of this House with prayer, in such order as may be most convenient to themselves.

On motion of Mr. Wakeman,

Resolved, That the Clerk furnish each of the members and officers of this House with such newspapers as they may respectively direct, not exceeding the cost of two daily papers, and that the expense thereof, including postage, be paid out of the contingent fund of the House.

Mr. Burroughs gave notice that he would, on some future day, ask leave to introduce a bill to provide for the support of common schools.

The House then took a recess until four o'clock, p. m.

FOUR O'CLOCK P. M.

The House again met.

A communication was received from the Comptroller, transmitting the annual report of his predecessor.

(See Doc. No. 9.)

Mr. Lesley offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That twenty times the usual number of the Comptroller's report be printed for the use of the Legislature, also three hundred copies for the Comptroller, and three hundred copies for the banks.

Ordered, That said resolution be laid upon the table.

Mr. Speaker appointed Messrs. O. Allen, Burroughs and Wakeman, the committee to prepare the ballots for drawing seats under the resolution of Mr. Wakeman, previously adopted.

On motion of Mr. Varnum,

Mr. Macomber had leave to draw the seat for Mr. George Clark, who was absent.

On motion of Mr. Gregory,

Mr. H. J. Allen had leave to draw the seat for Mr. Dougherty, who was absent.

On motion of Mr. Elderkin,

Mr. Carrington had leave to draw the seat for Mr. Miles, who was absent.

Mr. Wheeler moved that the resolution passed this morning, appointing Wm. B. Goddard Sergeant-at-Arms be reconsidered, for the purpose of allowing a vote to be taken by the friends of the opposing candidate.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wheeler, and it was determined in the negative.

Mr. O. Allen, from the committee appointed to prepare ballots under the resolution of Mr. Wakeman, reported that they had discharged the duty assigned them.

The members, in pursuance of the resolution of Mr. Wakeman, then left the bar of the House.

Mr. Speaker then named Mr. Simeon H. Mix, as the person to act as teller to draw the ballots from the box agreeably with the resolution of Mr. Wakeman, and with the following result, to wit :

H. J. Allen,.....	47	Ferris,.....	65	Norton,.....	77
O. Allen,.....	16	Feller,.....	71	Pardee,.....	102
Anthon,.....	62	Fisk,.....	83	E. Perry,.....	39
Atwood,.....	59	Fitzhugh,.....	82	J. L. Perry,.....	113
R. Babcock,.....	80	Fordyce,.....	96	Pool,.....	4
J. W. Babcock,...	89	French,.....	50	Rider,.....	54
Backhouse,.....	13	Gilbert,.....	61	Robinson,.....	41
Baker,.....	37	Gleason,.....	20	Rockwell,.....	85
Barnes,.....	19	Graham,.....	99	Rouse,.....	98
Belknap,.....	111	A. A. Gregory,...	87	Rowe,.....	88
J. Benedict,.....	70	W. S. Gregory,...	104	Rumsey,.....	110
T. H. Benedict,...	128	Greene,.....	114	W. Russell,.....	2
Bird,.....	42	H. Harris,.....	124	W. F. Russell,...	58
Bishop,.....	103	L. Harris,.....	45	Ryan,.....	118
Blackstone,.....	72	Hatch,.....	8	Severance,.....	44
Bottum,.....	64	Heath,.....	123	Shall,.....	93
Bowne,.....	92	Hewit,.....	48	Sherman,.....	40
Bradley,.....	38	Higby,.....	112	Shultes,.....	109
Brayton,.....	100	Hinds,.....	57	Sickles,.....	122
Briggs,.....	106	Horton,.....	6	A. Smith,.....	125
Burroughs,.....	35	Hoppin,.....	31	E. T. Smith,.....	115
Bushnell,.....	90	Humphrey,.....	69	Snell,.....	119
Cady,.....	130	Ingersoll,.....	121	Southwick,.....	21
Campbell,.....	78	Jayne,.....	60	Stevens,.....	27
Carrington,.....	95	Kinsley,.....	91	Stewart,.....	55
Chamberlin,.....	97	Kellogg,.....	107	Stilwell,.....	1
G. Clark,.....	101	Lake,.....	18	Stratton,.....	32
J. F. Clark,.....	29	Langdon,.....	24	Swords,.....	66
Coffin,.....	74	Lawyer,.....	56	A. A. Thompson,...	15
Colvin,.....	127	Leggett,.....	5	O. C. Thompson,...	106
Cooke,.....	79	Le Roy,.....	36	Townsend,.....	105
Congdon,.....	129	Lesley,.....	11	Tuthill,.....	10
Corser,.....	120	Lewis,.....	33	Underwood,.....	76
Davis,.....	23	Lyon,.....	131	Varnum,.....	75
Dennison,.....	14	McLouth,.....	26	Wakeman,.....	67
Dewey,.....	63	Macomber,.....	117	Ward,.....	7
Dougherty,.....	22	Maurice,.....	81	Welden,.....	3
Douglass,.....	126	Miles,.....	68	Wheeler,.....	46
Doyle,.....	84	Minier,.....	94	Whiteside,.....	12
Elderkin,.....	9	Moss,.....	86	Wooster,.....	28
Ellwood,.....	73	Nelson,.....	43	Wright,.....	17
Ely,.....	30	Noble,.....	108	Yeomans.....	25
Farr,.....	34				

On motion of Mr. Le Roy,

Resolved, That when this House adjourns, it will adjourn until 11 o'clock to-morrow morning; and that hereafter the hour of meeting for daily sessions of this House, shall be 11 o'clock, a. m., till otherwise ordered.

Mr. J. Benedict gave notice that he would, at a future day, ask leave to introduce a bill to change the time for holding the next circuit court and court of oyer and terminer in and for the county of Oneida.

Mr. H. J. Allen offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the Clerk be authorised to pay out of the contingent fund, the sum of three dollars to Simeon H. Mix, of the "Old" Schoharie Patriot, for the services which he has rendered towards the preservation of union and harmony in this body, and as a testimonial of the able and impartial manner in which he has performed the arduous duties committed to his charge.

Resolved, That no mileage shall be allowed to Mr. Mix.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

On motion of Mr. Robinson,
The House adjourned.

WEDNESDAY, JANUARY 8, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The Journal of yesterday was read and approved.

Mr. Benedict presented the petition of Mary Dempster, praying for a release of claim to real estate of which her husband died seized, which was read and referred to the committee on the petitions of aliens.

Mr. Benedict presented the petition of James S. Lynch and others, for an act incorporating the central city savings bank, which was read and referred to the committee on banks and insurance companies.

Mr. Benedict presented the petition of Asaph Seymour, praying for compensation in consequence of the depreciation in the value of State stocks, which was read and referred to the committee on claims.

Mr. Backhouse presented the petition of the supervisors of Kings co., for a law to continue in office the supervisors of the city of Brooklyn, which was read and referred to a select committee consisting of the Kings county delegation.

Mr. Backhouse presented the petition of the supervisors of Kings co., for power to create a loan to erect a penitentiary, purchase land, &c., which was read and referred to a select committee consisting of the Kings county delegation.

Mr. Underwood presented the petition of Abijah Fitch, Thos. M.

Hunt and H. H. Cooley, for a law providing for the payment of an award assigned to them against the agent of the Sing Sing prison, which was read and laid upon the table.

Mr. Elderkin presented the petition of the trustees of the St. Lawrence academy, praying for relief, which was read and referred to the committee on colleges, academies and common schools.

Mr. Varnum presented the memorial of the justices of the superior court of the city of New-York, praying for an amendment of the act for increasing the number of the justices of said court, which was read and referred to a select committee consisting of the New-York delegation.

Mr. Varnum presented the memorial of the Life Saving Benevolent Association, praying for a law authorising an increase in the number of its managers, which was read and referred to the committee on charitable and religious societies.

Mr. Stratton presented the petition of sundry citizens of Sullivan co., for an academy, to be located in the village of Monticello, which was read and referred to the committee on colleges, academies and common schools.

Mr. Higby presented the petition of Union school district No. 5, in the village of Bath, Steuben co., for a law to render valid and legal certain proceedings, which was read and referred to a select committee consisting of the Steuben county delegation.

Mr. Anthon presented the petition of the Rev. Samuel White, for the confirmation of his title to certain real estate conveyed to him by Hugh McMullen, an alien, which was read and referred to the committee on the petitions of aliens.

Mr. Benedict presented the petition of Thomas Goodsell, praying for a law authorising the appraisal of damages to his farm in consequence of the erection of the Chenango canal across his farm, which was read and referred to the committee on claims.

Mr. A. Smith presented three several petitions of C. T. Field, James Packard, Luther M. Mason and others, of Chautauque county, praying for an act to authorise Luther M. Mason to establish a ferry from Bemis Point across the narrows of Chautauque lake, which were read and referred to the committee on the internal affairs of towns and counties.

Mr. Speaker appointed the following messengers, to wit :

William H. S. Brown, William Quinn, John Riley, Edward W. Teal, George Sutherland, John Caffrey, Ansel Campbell, George W. Shiffer, Edwin Belden, Thomas H. M'Cann, Henry Olmsted, John Nickerson, James W. Whelpley.

Mr. Baker offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the number of newspapers to which each member shall be entitled, be increased to five, instead of two as by a former resolution, and that the Sergeant-at-Arms be instructed accordingly.

Ordered, That said resolution be laid upon the table.

Mr. Horton offered the following amendment, to wit :

Resolved, That the same allowance in papers and postage be allow-

ed to members of this House as was allowed to members of the House last year, and the expense be paid by the Clerk out of the contingent fund of the House.

Ordered, That said amendment be laid upon the table.

- Mr. O. Allen gave notice of his intention, at an early day, to ask leave to introduce a bill to revise the charter of the city of Buffalo.

On motion of Mr. Dennison,

Resolved, That the Clerk be authorised to procure and pay for from the contingent fund, the requisite supply of pocket knives for the use of the members and officers of this Assembly.

On motion of Mr. Underwood,

Resolved, That the petition of Abijah Fitch and others, presented this morning and laid upon the table, be referred to the judiciary committee.

On motion of Mr. Varnum,

Resolved, That a select committee of five be appointed to revise the rules of the last House of Assembly, and report whether in their opinion any alteration is expedient ; and that said committee be authorised to confer with such committee as may be appointed on the part of the Senate, and report whether any alteration is expedient in the joint rules of the Senate and Assembly.

Mr. W. S. Gregory gave notice that he would, at an early day, ask leave to introduce a bill for the relief of the few remaining volunteers attached to the N. Y. regiment during the late war with Mexico.

Mr. Underwood gave notice that he would, at an early day, ask leave to introduce a bill to provide for the establishment of a college for the advancement of agricultural science and the knowledge of the mechanic arts.

Mr. Underwood gave notice that he would, on some future day, ask leave to introduce a bill for the relief of Abijah Fitch, Thomas M. Hunt and Henry H. Cooley.

Mr. Underwood gave notice that he would, at an early day, ask leave to introduce a bill to amend the act entitled, "An act to exempt from sale on execution the homestead of a householder having a family, passed April 10, 1850."

Mr. H. Harris gave notice that he would, at an early day, ask leave to introduce a bill to provide for the organization and government of the police of the city of Albany.

Mr. Feller gave notice that he would, on some future day, ask leave to introduce a bill conferring upon the county judges the power of fixing jail limits.

Mr. Robinson gave notice that he would, at an early day, ask leave to introduce a bill regulating the assessment and collection of taxes on incorporated companies.

Mr. Robinson gave notice that he would, at an early day, ask leave to introduce a bill for the support of common schools throughout the State.

Mr. Robinson gave notice that he would, at an early day, ask leave to introduce a bill in relation to the redemption of bank notes.

Mr. Elderkin offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That Samuel Reynolds, of Ulster co., be and he is hereby appointed Sergeant-at-Arms of this House in place of the present incumbent.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

{ AYES 41 }
{ NOES 77 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Congdon	Lawyer	Rider	Snell
R. Babcock	Davis	Le Roy	Robinson	Stewart
Barnes	Dennison	Lewis	Rockwell	Stilwell
Bowne	Elderkin	Lyon	W. Russell	Stratton
Burroughs	Hatch	Minier	W. F. Russell	A. A. Thompson
Bushnell	Higby	Noble	Shall	O. C. Thompson
J. F. Clark	Horton	E. Perry	Siekles	Wooster
Coffin	Kinsley	Pool	E. T. Smith	Wright
Colvin				

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Those who voted in the negative are,

O. Allen	Campbell	Graham	Leggett	Shultes
Anthon	Carrington	A. A. Gregory	Lesley	A. Smith
J. W. Babcock	Chamberlin	W. S. Gregory	McLouth	Southwick
Backhouse	Cooke	Greene	Macomber	Stevens
Baker	Corser	H. Harris	Moss	Swords
Belknap	Dewey	L. Harris	Nelson	Speaker
J. Benedict	Douglass	Heath	Norton	Townsend
T. H. Benedict	Ely	Hewit	Pardee	Tuthill
Bird	Farr	Hinds	J. L. Perry	Underwood
Bishop	Ferris	Hoppin	Rouse	Varnum
Blackstone	Feller	Humphrey	Rowe	Wakeman
Bottum	Fisk	Ingersoll	Rumsey	Ward
Bradley	Fitzhugh	Kellogg	Ryan	Welden
Brayton	Fordyce	Lake	Severance	Whiteside
Briggs	Gilbert	Langdon	Sherman	Yeemans
Cady	Gleason			

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Mr. Ferris gave notice that he would, at an early day, ask leave to bring in bill to amend the code of procedure so as to allow an appeal to the court of appeals from any decision of the supreme court, on a bill or case granting or denying a new trial without the necessity of an entry of judgment; also to amend the same code, so as to allow any justice of the supreme court to take testimony in and hear equity causes at special terms.

Mr. Ferris gave notice that he would, at an early day, ask leave to bring in a bill to equalize taxation and provide a uniform mode of assessments on real and personal property.

Mr. Ferris gave notice that he would, at an early day, ask leave to bring in a bill to repeal the new school law and to provide for the support of common schools.

Mr. Le Roy gave notice that he would, at an early day, ask leave

to bring in a bill entitled, "An act to repeal the provisions of the Revised Statutes exempting the property of ministers of the gospel from taxation."

Mr. Le Roy gave notice that he would, at an early day, ask leave to bring in a bill entitled, "An act to provide for the election of county commissioners, and to equalize the valuations of real estate in the several towns and wards of each county."

Mr. Le Roy gave notice that he would, at an early day, ask leave to bring in a bill entitled, "An act to repeal an act entitled, 'An act to provide for the registry of births, marriages and deaths,' passed April 28, 1847."

Mr. Anthon gave notice that he would, at an early day, ask leave to bring in a bill providing for the compensation of certain services rendered in the courts of record of this State.

Mr. Burroughs gave notice that he would, at an early day, ask leave to bring in a bill to amend the several acts relating to schools in the village of Medina.

Mr. Burroughs gave notice that he would, at an early day, ask leave to bring in a bill providing for the granting of divorces dissolving the marriage contract for the following causes :

Gross habitual intemperance of five years standing, accompanied by acts of personal violence.

Conviction of crime the punishment for which is confinement in state prison, when the party so convicted is actually confined.

Abandonment and neglect of support for a term of five years.

Mr. Stevens gave notice that he would, at an early day, introduce a bill for the relief of Thomas Wheeler, surviving administrator of John Jacob Mang.

Mr. Moss gave notice that he would, on some future day, ask leave to introduce a bill for the incorporation of the Niagara county savings bank, to be located in the village of Lockport.

Mr. Lyon gave notice that he would, at some future day, ask leave to introduce a bill for a division of the remaining public lands into sixty acre lots, to be afforded free of charge to actual settlers.

Mr. Maocmber gave notice that he would, on some future day, ask leave to bring in a bill to incorporate the union aid society of the Methodist Episcopal church of the city of New-York.

Mr. A. Smith gave notice that he would, at an early day, ask leave to bring in a bill to amend the act entitled, "An act to provide for the incorporation of villages, passed December 7, 1847," and to confirm the official acts of certain officers.

Mr. J. Benedict gave notice, that he would, at an early day, ask leave to introduce a bill to amend the act to authorise the election of local officers to discharge the duties of county judge and surrogate in the county of Oneida.

Mr. J. Benedict gave notice that he would, at an early day, ask leave to introduce a bill to amend section 66 of title 3, chapter 9, part 3, of the Revised Statutes ; also, a bill to give civil jurisdiction to county courts in special cases ; also, a bill in relation to proceedings in criminal cases.

Mr. J. Benedict gave notice that he would at a future, ask leave to introduce a bill to amend the act incorporating the Oneida county mutual insurance company.

On motion of Mr. Benedict,

Resolved, That the Clerk of the Senate be requested to transmit to this House, the papers on file in the Senate, relating to the claim of J. S. Kellogg, for canal damages.

In pursuance of previous notice, Mr. Benedict asked for and obtained leave to introduce a bill entitled, "An act to change the time of holding the next circuit court and oyer and terminer, in and for the county of Oneida," which was read the first time, and by unanimous consent was also read a second time.

By unanimous consent,

Ordered, That said bill be committed to the committee of the whole House.

Mr. Varnum gave notice that he would, at an early day ask leave to introduce a bill entitled, "An act to amend article 1st, title 1st, chapter 8th, part 2d of the Revised Statutes, entitled 'Of marriage, and the solemnization and the proof thereof,' and to repeal the act entitled, 'An act providing for the registry of births, marriages and deaths,' passed April 28th, 1847 "

Mr. Lesley called up the resolution offered by him yesterday, for printing Comptroller's report, objection being made to its consideration, it was referred to the printing committee.

On motion of Mr. Elderkin,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit:

Resolved, That the Clerk of this House, pay out of the contingent fund, to the officers of the last House actually in attendance, for services performed at the commencement of this session, for as many days services as shall be certified by the Speaker, the same per diem allowance, as is allowed to members of the Legislature, and mileage.

Mr. A. Smith offered the following amendment or substitute.

Resolved, That the Clerk of the last Assembly, be allowed the daily pay and travel fees of a member, for his attendance upon the organization of the present House, to be paid out of the contingent fund, by the Clerk, on the certificate of the Speaker.

Mr. Townsend offered the following preamble to said resolution.

WHEREAS, Certain officers of the Assembly of 1849, who under peculiar circumstances, had attended at the opening of the last session, were authorised to receive per diem and mileage; and certain officers of the last Assembly were thereby led to believe, that their services were required at this session, and attended it at considerable inconvenience and expense; and whereas, this House is disposed to indemnify them without intending to create a precedent to be followed in future.

Mr. Burroughs moved to refer the said resolution, amendment and preamble to a select committee to report thereon.

Mr. Speaker put the question whether the House would agree to

the said motion of Mr. Burroughs, and it was determined in the negative.

Mr. A. Smith then withdrew the amendment offered by him.

Mr. Elderkin accepted of the preamble offered by Mr. Townsend.

Mr. Speaker put the question whether the House would agree to the said preamble and resolution, and it was determined in the affirmative.

Mr. Miles, a member elect from the 2nd district of Steuben county, who was absent at the organization of the session, presented himself at the Speaker's desk, took the oath of office and his seat.

Mr. Speaker announced the following appointments of subordinate officers of the House, viz :

Dewitt C. Crooker, of Cattaraugus, Assistant Sergeant-at-Arms ; William Scott, of Livingston, Doorkeeper of the ladies' gallery ; Adam Mott, of Rensselaer, Doorkeeper of the gentlemen's gallery ; Morris Shaw, of Albany, Porter to the Assembly ; George W. Platt, of Clinton, Postmaster.

Mr. Underwood gave notice that he would, at an early day, ask leave to bring in a bill to amend the general banking law, passed in 1838, and the various acts since passed amendatory thereof.

A communication was received from the State Treasurer, accompanied with his annual report.

(See Doc. No. 6.)

On motion of Mr. Varnum,

Resolved, That three times the usual number of the Treasurer's report be printed, and 350 copies in addition for the use of the Treasurer.

A communication was received from the Secretary of State, transmitting the annual report of the Executive Committee of the Normal School.

On motion of Mr. Varnum,

Resolved, That in addition to the usual number, 250 copies of the report of the Executive Committee of the State Normal School, be printed for the use of the school, and 250 for the office of the Secretary of State.

Mr. L. Harris gave notice that he would, at some future day, ask leave to introduce a bill for the purpose of providing for the election of a local officer for the county of Chenango, to discharge the duties of county judge and surrogate in said county.

Mr. Lyon gave notice that he would, at some future day, ask leave to introduce a bill for the equalization of taxation throughout the State.

Mr. Burroughs offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That so much of the Governor's message as relates to the enlargement of the Erie canal, be referred to a select committee.

Ordered, That said resolution be laid upon the table.

On motion of Mr. Elderkin,

The House adjourned.

THURSDAY, JANUARY 9, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Pohlman.

The minutes of yesterday were read and approved.

Mr. Smith presented the petition of the trustees of the Shinecock tribe of Indians, for relief, by an appropriation for a common school, which was read and referred to the committee on indian affairs.

Mr. Stevens presented two several petitions of A. Remington and others, and J. H. Parker, and others, citizens of Onondaga, praying for a reduction of fare on railroads, which were read and referred to the committee on railroads.

Mr. Perry presented the petition of the board of supervisors of the county of Saratoga, that the Secretary of State be directed to furnish each county with a copy of the reports and decisions of the court of appeals, as soon as they are published, which was read and referred to the committee on the judiciary.

Mr. Yeomans presented the petition of citizens of the western Assembly district, of Wayne county, for the erection of a new county from the said Assembly district, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Cady presented the petition for the modification of the laws regulating interest on parol contracts, which was read and referred to a select committee of three.

Mr. Atwood presented the petition of sundry inhabitants of the towns of Alden, Lancaster, and Cheektowaga, county of Erie, to amend the act passed March 29th, 1848, appointing commissioners for the improvement of the Cayuga creek road, which was read and referred to the committee on roads and bridges.

Mr. Minier presented the petition of Joseph Lowe, of Big Flats, Chemung co., praying for a bridge across the Chemung canal feeder, which was read and referred to the committee on canals.

Mr. Moss presented a petition of the board of supervisors of the county of Niagara, for an amendment of the law relating to the State Lunatic Asylum, so as to allow county judges to send lunatics to county asylums in those counties where such an institution is provided, which was read and referred to the committee on charitable and religious societies.

Mr. Perry presented the petition of the board of supervisors of the county of Saratoga, praying for the passage of a law authorizing assessors to examine persons on oath, touching their liability to taxation for personal property, which was read and referred to the committee on the judiciary.

Mr. Harris presented the petition of the Canal Appraisers, for an increase of the salary of the clerk of the said Appraisers, which was referred to the committee on canals.

Mr. Ferris presented the petition of 37 inhabitants of the county of Tompkins, to repeal the new school law and for other purposes,

which was read and referred to the committee on colleges, academies and common schools.

Mr. Miles presented the petition of the inhabitants of the town of Addison, county of Steuben, praying for a law to make said town a half shire town in said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Perry presented the petition of the board of supervisors of the county of Saratoga, that the number of superintendents of the poor in said county, be reduced to one person, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Anthon presented the petition of Frederick A. Hebling, that he may be allowed to hold the office of commissioner of deeds and notary public, notwithstanding his alienage, which was read and referred to the committee on the petition of aliens.

Mr. Dennison presented the petition of citizens of school district number eight, in the town of Pompey, to hold certain real estate for the purpose of using the same for a burying ground, which was read and referred to the committee on the judiciary.

Mr. Underwood presented the petition of George Webber and Jas. Chappell, to confirm the title of said Webber to real estate, which was read and referred to the committee on the judiciary.

Mr. Underwood presented the petition of Eleazar Hills, for the payment of a judgment rendered against the agent of the Auburn state prison, which was read and referred to the committee on state prisons.

Mr. Minier presented the petition of John L. Sexton, of the town of Big Flats, Chemung co., asking for damages caused by the overflowing of the Chemung canal feeder, which was read and referred to the committee on canals.

Mr. Fisk presented the petition of the board of Supervisors of the county of Genesee, that a tax be levied on all the taxable property in the State for the support of common schools, which was read and referred to the committee on colleges, academies and common schools.

Mr. Hoppin presented the petition of sundry inhabitants of Madison co., for a repeal of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Macomber presented the petition of citizens of North Boston, for the passage of a law prohibiting the sale of intoxicating drinks, which was read and laid on the table.

Mr. Rowe presented the petition of Levi M. Button and others, of Alexander, that the several district libraries throughout the State be furnished with Webster's Dictionary unabridged, which was read and referred to the committee on colleges, academies and common schools.

Mr. Severance presented the petition of the board of supervisors of Erie co., to reduce the fees of the clerk of said county, and to repeal the law making the office of said clerk a salaried office, which was read and referred to a select committee consisting of the Erie county delegation.

Mr. Bird presented the petition of Geo. Truscott, an alien, for the passage of a law to authorise him to hold and convey real estate,

which was read and referred to the committee on the petitions of aliens.

The following appointments were made by the Clerk, viz:

Deputy Clerks : Ornon Archer, James McQuade, Louis F. Wadsworth, Daniel H. Huntington. Librarian : William Durrie. Assistant Librarian : Lewis R. Gregory. Bank Messenger : Hamilton Aley.

A communication was received from the cashier of the Manhattan company of the city of New-York, transmitting the annual report of said company, which was read and with said report referred to the committee on banks and insurance companies.

Mr. Varnum, from the select committee consisting of the New-York delegation, to which was referred the memorial of the superior court of the city of New-York, for the amendment of the act for increasing the number of justices of said court, reported, and asked and obtained leave to bring in a bill entitled, "An act to amend an act entitled, 'An act for increasing the number of justices of the superior court of the city of New-York, and for extending the jurisdiction of that court,' passed March 24, 1849, and the act amending the same, passed April 10, 1849, and also to amend title five, of part first, of the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Speaker announcing the order of business to be motions, resolutions and notices,

Mr. O. Allen moved that this order be laid on table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the affirmative.

Mr. Speaker announcing the order of business to be unfinished business,

Mr. O. Allen moved to lay the same on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the affirmative.

Mr. Speaker announced the next order of business the special order of the day.

Mr. Wakeman moved to lay the same on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wakeman, and it was determined in the affirmative.

On motion of Mr. O. Allen,

The House then resolved itself into a committee of the whole on the Governor's message, and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Elderkin, from said committee, reported that they had had the same under consideration, and agreed to the following resolutions, which he was directed to report to the House :

Resolved, That so much of the Governor's annual message as relates to the finances of the State, be referred to the standing committee on ways and means ;

That so much thereof as relates to canals be referred to the standing committee on canals ;

That so much thereof as relates to the competition of railways with the trade of the Erie canal, be referred to the standing committee on canals ;

That so much thereof as relates to education, colleges, academies, common schools, the normal school, and the free school law, be referred to the standing committee on colleges, academies and common schools.

That so much thereof as relates to agriculture, the establishment of an agricultural college and experimental farm, and the mechanic arts, be referred to the standing committee on agriculture.

That so much thereof as relates to a school for idiots, to the deaf, dumb, blind, and to the State lunatic Asylum, be referred to the standing committee on charitable and religious societies.

That so much thereof as relates to State Prisons, to the standing committee on state prisons ;

That so much thereof as relates to the Western House of Refuge, and to the House of Refuge for the reformation of juvenile delinquents in the city of New-York, be referred to the standing committee on ways and means ;

That so much thereof as relates to the militia and military property of the State, be referred to the standing committee on militia and public defence ;

That so much thereof as relates to emigrant passengers, be referred to the standing committee on commerce and navigation ;

That so much thereof as relates to the homestead exemption law, be referred to the standing committee on the judiciary ;

That so much thereof as relates to the public lands, be referred to the standing committee on public lands ;

That so much thereof as relates to leasehold estates, be referred to the standing committee on the judiciary ;

That so much thereof as relates to the statute laws of the State and to the report of the commissioners on practice and pleadings, be referred to the standing committee on the judiciary ;

That so much thereof as relates to the restoration to the county courts of a more extended civil jurisdiction, be referred to the standing committee on the judiciary ;

That so much thereof as relates to the punishment of embezzlement, be referred to the standing committee on the judiciary ;

That so much thereof as relates to a building for the State Library, be referred to the select joint committee on library ;

That so much thereof as relates to the increase of bribery in our popular elections, be referred to the standing committee on privileges and elections ;

That so much thereof as relates to the circulating medium, banks and the bank department, be referred to the standing committee on banks and insurance companies ;

That so much thereof as relates to the constitutional provisions restricting the powers of cities in respect to taxation, assessments, bor-

rowing money, and loaning their credit, be referred to the standing committee on the incorporation of cities and villages;

That so much thereof as relates to the assessment of property, be referred to the standing committee on the judiciary;

That so much thereof as relates to certain difficulties between the citizens of Richmond county, and the inhabitants of New Jersey, be referred to the standing committee on the judiciary;

That so much thereof as relates to our federal relations, be referred to the standing committee on the judiciary;

That so much thereof as relates to protection to domestic industry, be referred to the standing committee on trade and manufactures.

That so much thereof as relates to the improvement of harbors and rivers, be referred to the standing committee on commerce and navigation;

That so much thereof as relates to the exhibition of works of industry of all nations, be referred to the standing committee on trade and manufactures.

Mr. Speaker put the question whether the House would agree to the said resolutions, and it was determined in the affirmative.

On motion of Mr. Townsend,

The House then resumed the regular order of business, which was the introduction of motions, resolutions and notices.

Mr. Elderkin gave notice that he would, at an early day, ask leave to introduce a bill renewing an act making appropriations to academies for the purpose of educating common school teachers in this State, as recommended by the Governor.

On motion of Mr. Elderkin,

Resolved, That the petitions and papers on file, relative to the St. Lawrence academy, be taken from thence and referred to the committee on colleges, academies and common schools.

On motion of Mr. O. Allen,

Resolved, That the Clerk be directed to procure ten times the usual number of diagrams of the Assembly chamber, of the same style as those executed by R. H. Pease for the Senate chamber last year.

Mr. Wheeler gave notice that he would, at some future day, ask leave to introduce a bill providing that the several railroad companies in this State, which are now required by law to hold their annual meetings for the choice of directors on the first Monday of June, may, if they elect to do so, hold such meetings on the first Wednesday of June.

Mr. Wheeler gave notice that he would at some future day, ask leave to introduce a bill providing that any railroad company in this State, may be allowed to take and hold stock in any telegraph company, for the purpose of aiding in the construction of a telegraph line along their road.

Mr. Doyle gave notice that an early day, he will ask leave to introduce a bill authorising the Delaware Plank road Company, to loan a sum of money, to be expended in paying the demands of contractors, and of other claims for the construction of the road of said company.

In pursuance of previous notice, Mr. Le Roy asked for and obtained leave to introduce a bill entitled, "An act to repeal an act entitled, 'An act providing for the registry of births, marriages, and deaths,' passed April 28, 1847," which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. H. Harris asked for and obtained leave to bring in a bill entitled, "An act to provide for the organization and government of the police of the city of Albany," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Le Roy asked for and obtained leave to introduce a bill entitled, "An act to provide for the election of county commissioners, &c.," which was read the first time and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Le Roy asked for and obtained leave to bring in a bill entitled, "An act to repeal the provisions of the Revised Statutes, exempting ministers of the gospel from taxation," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Baker gave notice that he would, at an early day, introduce a bill to incorporate the city of Williamsburgh, in the county of Kings.

Mr. Underwood gave notice that he would, at an early day, ask leave to introduce a bill to confirm the title of George Webber to real estate conveyed to him by James Chappell.

M. Pardee gave notice that he would, at some future day, ask leave to bring in a bill entitled, "An act to repeal chap. 140 of the Session Laws of 1849, entitled, 'An act establishing free schools throughout the State.'"

Mr. H. J. Allen gave notice that he would, at some future day, ask leave to introduce a bill for the licensing and government of the pilots of the port of New-York, by the way of Sandy Hook.

Mr. Underwood gave notice that he would, at some future day, ask leave to introduce a bill for the relief of Eleazar Hills.

Mr. Gleason gave notice that he would, at an early day, ask leave to introduce a bill to stay the collection of rents on tracts of leasehold land, during the pendency of the actions commenced by the Attorney General on behalf of this State to test the titles thereof.

Mr. Gleason gave notice that he would, at an early day, ask leave to introduce a bill for enlarging the jurisdiction of county courts.

On motion of Mr. Wheeler,

Resolved, That there be allowed and paid to Henry J. Sickels, the Journal clerk of the last Assembly, the same pay per day, for such number of days as shall be certified by the Speaker, for his services in the present Assembly, as was allowed and paid to him by the last, together with mileage, out of the contingent fund of the House.

On motion of Mr. Anthon,

Resolved, That so much of the Governor's message as relates to.

the difficulties which have arisen between the inhabitants of Richmond county, and the citizens of New Jersey, be referred to a select committee of three, to be appointed by the Speaker; and that the judiciary committee be discharged from the further consideration of the same.

Mr. Higby gave notice, that he would at an early day, introduce a bill taxing the personal property of non-resident aliens.

Mr. Stevens gave notice that he would at an early day, introduce a bill for the removal of certain solar evaporating salt works, in the city of Syracuse.

Mr. Stevens gave notice that he would at an early day, introduce a bill for the reduction of fare on certain railroads.

In pursuance of previous notice, Mr. Robinson asked for and obtained leave to bring in a bill entitled, "An act to establish free schools, throughout the State," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on colleges, academies, and common schools.

In pursuance of previous notice, Mr. Feller asked for and obtained leave to bring in a bill entitled, "An act in relation to the liberties of jails," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Stillwell,

Resolved, That the Clerk furnish each member of this House, with a copy of the proceedings and debates of the constitutional convention, and that the expense thereof, be paid out of the contingent fund of the House.

In pursuance of previous notice, Mr. Moss asked for and obtained leave to bring in a bill entitled, "An act to incorporate the Niagara county savings bank," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

Mr. Wakeman gave notice that he would at some future day, ask leave to introduce a general bill for the incorporation of building associations.

Mr. Wooster gave notice that he would at an early day, ask leave to introduce a bill to amend the free school law, and to provide for a revision of all laws relating to common schools.

Mr. Moss gave notice that he will hereafter, ask leave to introduce a bill amending the law relating to the proof and recording of wills.

Mr. Moss gave notice that he would hereafter, ask leave to introduce a bill directing a portion of the records of the county of Erie, to be transcribed and deposited in the clerk's office, in the county of Niagara.

Mr. Moss gave notice that he would ask leave to introduce a bill amending the code of procedure, relating to the jurisdiction of county courts, allowing them to entertain and hear appeals from the proceedings of village trustees, in all cases where that power existed in the old court of common pleas.

Mr. Moss gave notice that he would hereafter, ask leave to intro-

duce a bill amending the law relating to the duty of town collectors of taxes in the collection of the same, and making return thereof.

Mr. Moss gave notice that he would hereafter, ask leave to introduce a bill to amend the several acts relating to the incorporation of the village of Lockport.

Mr. Le Roy gave notice that he would at an early day ask leave to introduce a bill entitled, "An act for the relief of Horace Dodge."

On motion of Mr. Le Roy,

Resolved, That the papers and documents in relation to the claim of Horace Dodge, for relief, be taken from the files, and referred to the committee on claims.

Mr. LeRoy gave notice that he would, at an early day, ask leave to introduce a bill entitled, "An act for the relief of Henry G. Beach, of Lysander, in the county of Onondaga."

Mr. Yeomans gave notice, that he would, at an early day, ask leave to introduce a bill for the erection of a new county from the western Assembly district of the county of Wayne.

Mr. Underwood gave notice that he would, at some future day, ask leave to introduce a bill to amend the charter of the city of Auburn.

Mr. Underwood gave notice that he would, at some future day, ask leave to introduce a bill to amend the act establishing free schools in the city of Auburn.

Mr. Coffin gave notice that he would, at some future day, ask leave to introduce a bill to prevent the arrest or removal of free citizens of this State without the jurisdiction thereof except for crime.

On motion of Mr. Stilwell,

Resolved, That the petitions and other papers in relation to the Wesleyan Seminary of the town of Gouverneur, be taken from the files of this house and referred to the committee on colleges, academies and common schools.

On motion of Mr. Severance,

Resolved, That the petitions and papers on file relating to the subject of reducing the fees of the clerk of Erie county, and of repealing the law making the office of said clerk a salaried office, be taken from the files and referred to the select committee on that subject.

In pursuance of previous notice, Mr. J. Benedict asked for and obtained leave to introduce a bill entitled, "An act to amend the act to authorise the election of local officers to discharge the duties of county judge and surrogate in the county of Oneida," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. J. Benedict asked for and obtained leave to introduce a bill entitled, "An act in relation to proceedings in criminal cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. J. Benedict asked for and obtained leave to introduce a bill entitled, "An act to confer civil jurisdiction on the several courts in this State," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. J. Benedict asked for and obtained leave to introduce a bill entitled, "An act to amend section sixty-six, of title three, chapter nine, of part third of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. J. Benedict asked for and obtained leave to introduce a bill entitled, "An act to amend an act to incorporate the Oneida county mutual insurance company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

In pursuance of previous notice, Mr. Varnum asked for and obtained leave to introduce a bill entitled, "An act to amend article 1st, title 1st, chapter 8th, part 2d of the Revised Statutes, entitled, 'Of marriage and the solemnization and the proof thereof,' and to repeal the act entitled, 'An act providing for the registering of births, marriages and deaths,' passed April 28, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. A. Smith gave notice that he would, at an early day, ask leave to introduce a bill to amend the charter of the village of Westfield, and enlarge the powers of the trustees of said village.

On motion of Mr. H. Harris,

Resolved, That the judiciary committee be discharged from the further consideration of the bill entitled, "An act to provide for the organization and government of the police of the city of Albany," and that the bill be referred to a select committee consisting of the Albany delegation.

Mr. Anthon gave notice that he would at some future day, ask leave to introduce a bill to authorize justices of the peace to act as coroners in certain cases.

Mr. Ingersoll gave notice that he would at a future day, ask leave to introduce a bill to regulate the number of grand jurors that may be called in the county of Chenango.

Mr. Macomber gave notice that at some future day he would ask leave to introduce a bill for the protection of mechanics and working men, by giving them a lien on the productions of their labor.

Mr. J. Benedict gave notice that he would at some future day ask leave to introduce a bill to repeal the law establishing the recorder's court of the city of Utica.

On motion of Mr. Horton,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the same allowance in papers and postage be allowed to members of this House as were allowed members of the House last year, and the expense be paid by the Clerk, out of the contingent fund of the House.

Mr. Speaker then put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Townsend gave notice that he would at some future day, introduce a resolution, to have proper measures taken to set the clock.

On motion of Mr. O. Allen,

The House then adjourned.

FRIDAY, JANUARY 10, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The Journal of yesterday was read, whereupon,

On motion of Mr. Anthon!

Resolved, That the Journal be amended by stating, that the judiciary committee was, on motion of Mr. Townsend, discharged from the consideration of so much of the Governor's message as relates to the Richmond county difficulties.

The minutes of yesterday were then read and approved.

Mr. Minier presented the petition of John Durham, of Painted Post, Steuben county, for a bridge across the Chemung canal feeder, which was read and referred to the committee on canals.

Mr. Ingersoll presented the petition of the Bainbridge and Lanesboro steam navigation company, for an act of incorporation, which was read and referred to the committee on commerce and navigation.

Mr. Hewitt presented the petition of inhabitants of the town of Champlain, for the passage of a law in relation to the traffic in spirituous liquors, which was read and laid on the table.

Mr. Bishop, presented the petition of Edward L. Coburn, for relief, which was read and referred to the committee on the judiciary.

Mr. Backhouse presented the petition of the Brooklyn City Hospital, for an appropriation to aid them to complete their establishment, which was read and referred to the committee on charitable and religious societies.

Mr. Severance presented the petition of electors of the county of Erie, to reduce the fees of the clerk of said county, and to repeal the law making the office of said clerk a salaried office, which was referred to the Erie county delegation.

Mr. Hatch presented the resolutions and petition of the board of supervisors of the county of Oswego, asking for the passage of a law to authorise the election of a surrogate for said county, which were read and referred to the committee on the judiciary.

Mr. Briggs presented the petition of the board of supervisors of the county of Westchester, for extending the powers and duties now pertaining to the office of coroner, to the justices of the peace of said county, which was read and referred to the committee on the judiciary.

Mr. Rockwell presented the petition of the sheriff and clerk of

Schoharie county, for the passage of an act to authorise the drawing of a jury, for the court of sessions, in January, 1851, was read and laid on the table.

Mr. Brayton presented the petition of Ezra Clark, for the appraisal and payment of damages, occasioned by leakage of the Black River canal, which was read and referred to the committee on claims.

Mr. Miles presented the petition of citizens of the towns of Addison, Woodhull, and Jasper, in the county of Steuben, for the passage of a law making the town of Addison a half shire town of said county, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Briggs presented the petition of the board of supervisors of Westchester county, for the enactment of a mechanics' lien law, for said county, which was read and referred to the committee on the judiciary.

Mr. Noble presented the petition of A. C. & W. H. Winter, of Bolton, Warren co., that the name of Wm. H. Winter be changed to Henry Winter, which was read and referred to the committee on the judiciary.

Mr. Graham presented the petition of John Taylor and others for the repeal of the free school law and for other purposes, which was read and referred to the committee on colleges, academies and common schools.

Mr. Farr presented the petition of the board of supervisors of the county of Washington, for the repeal of the law in relation to the registry of births, deaths and marriages, which was read and referred to the committee on colleges, academies and common schools.

Mr. Chamberlin presented the petition of the board of supervisors of Livingston co., for the relief of Sarah M. Francis, which was read and referred to a select committee consisting of the Livingston county delegation.

Mr. Hatch presented the petition of Nathan Farnham and others, for the restoration of road districts upon the lines of plank roads, which was read and referred to the committee on roads and bridges.

Mr. Hatch presented the resolutions and petition of the supervisors of Oswego co., for the repeal of all laws exempting the property of ministers and priests from taxation, which were read and referred to the committee on the judiciary.

Mr. McLouth presented the petition of citizens of the town of Farmington, for the repeal of the free school law and for other purposes, which was read and referred to the committee on colleges, academies and common schools.

Mr. Baker presented the memorial of W. C. Bryant and others, inhabitants of the city of New-York, for the abolition of the death penalty, which was read and referred to a select committee.

Mr. Hatch presented the resolutions and petition of the board of supervisors of the county of Oswego, asking for an amendment of the free school law, which were read and referred to the committee on colleges, academies and common schools.

Mr. Yeomans presented the petition of 25 citizens of Wayne co.,

for protection from future damage by waste water from the Erie canal, which was read and referred to the committee on canals.

Mr. Hatch presented the resolutions and petition of the board of supervisors of the county of Oswego, asking for an amendment of the election laws so as to more effectually suppress the use of money to influence elections, which were read and referred to the committee on privileges and elections.

Mr. Pool presented the resolutions and petition of the board of supervisors of the county of Jefferson, for an amendment of the law in relation to town accounts, which were read and referred to the committee on the judiciary.

Mr. Brayton presented the petition of Robt. Wilson, for the appraisal and payment of damages occasioned by the break in the Black River canal feeder at Boonville, which was read and referred to the committee on claims.

Mr. Rider presented the petition of R. S. Doty and others, for the incorporation of the Rome water works company, which was read and referred to a select committee consisting of the Oneida county delegation.

Mr. Yeomans presented the petition of Carlton H. Rodgers and others, citizens of Wayne county, praying for a division of said county, &c., which was read and referred to the committee on the erection and division of towns and counties.

Mr. Stevens presented the petition of Thos. Wheeler, administrator of John Jacob Mang, for relief, which was read and referred to the committee on the manufacture of salt.

Mr. Briggs presented the petition of the board of supervisors of the county of Westchester, in favor of a more perfect system of valuation of property for assessments in said county and throughout the State, which was read and referred to the committee on the judiciary.

Mr. Miles presented two several petitions of citizens of Addison, county of Steuben, that said town be made a half shire-town of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Clark presented the petition of Onondaga co., praying for an act prohibiting the sale of intoxicating drinks, which was read and referred to the select committee on that subject, to be appointed.

Mr. Speaker laid before the House a communication from the cashier of the Leather Manufacturers' bank of New-York, covering the annual statement of balances and dividends unclaimed for two years in that institution, which was referred to the committee on banks and insurance companies.

A message was received from his excellency the Governor, transmitting the annual report of the Commissary General.

On motion of Mr. Wakeman,

Resolved, That 250 copies of the Commissary General's report be printed for the use of the Commissary General's office.

A message was received from his excellency the Governor, transmitting the annual report of the Adjutant General.

(See Doc. No. 7.)

A communication was received from the Hon. Christopher Morgan, Secretary of State, transmitting the 32d annual report of the New-York Institution for the instruction of the Deaf and Dumb.

(See Doc. No. 22.)

On motion of Mr. Underwood,

Resolved, That five times the usual number of the thirty-second annual report and documents of the New-York Institution for the Deaf and Dumb be printed, and also five hundred copies for the use of the Secretary's office and five hundred for the use of the Institution.

A message was received from the Senate, requesting the transmission to that body, of the papers on file in this House, relating to the claim for damages of Clogher and Johnson.

Ordered, That the Clerk transmit the same to the Senate.

A message was received from the Senate, requesting the transmission to that body, of the papers on file relating to the claim of James Folts.

Ordered, That the Clerk transmit the same to the Senate.

Mr. Speaker then announced the select committee on so much of the Governor's message as relates to the difficulties between citizens of Richmond county, and the inhabitants of New Jersey, as follows :

Messrs. Anthon, Congdon, Sherman, Colvin, Cady.

In pursuance of previous notice, Mr. Elderkin asked for and obtained leave to bring in a bill entitled, "An act making appropriations to certain academies in the State of New-York," which was read the first time and by unanimous consent was also read a second time, and committed to the committee of the whole.

In pursuance of previous notice, Mr. Higby asked for and obtained leave to bring in a bill entitled, "An act for the relief of the trustees of union school district number five, in the village of Bath," which was read the first time and by unanimous consent was also read a second time, and committed to the committee of the whole.

On motion of Mr. Wheeler,

Resolved, That the printing committee be discharged from the further consideration of the resolution relating to the printing of the report of the Comptroller, and that ten times the usual number be printed for the use of this House, also three hundred copies for the use of the Comptroller.

Mr. Elderkin gave notice that he would at an early day, introduce a bill amending the act granting appropriations for Rackett river, which bill will authorize the county court to appoint three commissioners to appraise damages to boom owners across said river, before said river was declared a public highway.

Mr. O. Allen gave notice that it is his intention to ask leave at an early day, to introduce a bill to extend the effect of the act passed February 17, 1848, entitled "An act to authorise the formation of corporations for manufacturing, mining, mechanical, or chemical purposes."

On motion of Mr. Wheeler,

Resolved, That the report of Bishop Perkins, and George Red-

dington; commissioners appointed under chapter 280, Laws of 1850, be printed, and referred to the committee on claims.

Mr. J. T. Clark gave notice, that he intended at some future day, ask leave to introduce a bill to amend an act entitled, "An act to authorise the Syracuse and Tully plank road company, to make a branch of their road over the lands of the Onondaga Indians, passed March 20, 1850."

In pursuance of previous notice, Mr. Rockwell asked for and obtained leave to bring in a bill entitled, "An act to provide for the drawing of a petit jury in Schoharie county," which was read the first time, and by unanimous consent was also read a second time.

By unanimous consent,

Ordered, That the said bill be engrossed for a third reading.

The said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 118 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	G. Clark	W. S. Gregory	Macomber	Siekles
Anthon	J. F. Clark	Greene	Miles	A. Smith
Atwood	Colvin	H. Harris	Minier	E. T. Smith
R. Babcock	Cooke	L. Harris	Moss	Snell
J. W. Babcock	Congdon	Hatch	Nelson	Southwick
Backhouse	Corser	Heath	Noble	Stevens
Baker	Davis	Hewit	Pardee	Stewart
Barnes	Dennison	Higby	E. Perry	Stratton
Belknap	Dewey	Hinds	J. L. Perry	Swords
J. Benedict	Douglass	Horton	Pool	Speaker
T. H. Benediot	Doyle	Humphrey	Rider	A. A. Thompson
Bird	Elderkin	Ingersoll	Robinson	O. C. Thompson
Bishop	Ely	Jayne	Rockwell	Townsend
Blackstone	Farr	Kinsley	Rouse	Tuthill
Bottum	Ferris	Kellogg	Rowe	Underwood
Bowne	Feller	Lake	Rumsey	Wakeman
Bradley	Fisk	Langdon	W. Russell	Ward
Brayton	Fitzhugh	Lawyer	W. F. Russell	Welden
Briggs	Fordyce	Leggett	Ryan	Wheeler
Barrroughs	French	Le Roy	Severance	Whiteside
Bushnell	Gilbert	Lesley	Shall	Wooster
Cady	Gleason	Lewis	Sherman	Wright
Carrington	Graham	Lyon	Shultes	Yeomans
Chamberlin	A. A. Gregory	McLouth		

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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

On motion of Mr. Wakeman,

Resolved, That the committee on the judiciary be discharged from the further consideration of the bills, petitions, memorials, &c., in relation to taxes and assessments and the equalization thereof, and that the same be referred to a special committee.

Mr. Jayne gave notice that he would, at an early day, ask leave to bring in a bill giving the people of each school district the privilege of disposing of their library money for the payment of teachers' wages or for library purposes, as they may designate by a vote at their annual meeting.

Mr. Hatch gave notice that he would, at some future day, ask leave to introduce a bill for the relief of Thos. W. Dixon.

On motion of Mr. Graham,

Resolved, That the Clerk be authorised to procure and furnish the members of this House each a copy of the Assembly Journal of 1850.

Mr. Gleason gave notice that he would, at an early day, ask leave to introduce a bill to authorise the election of three trustees and a district clerk in school district No. 16, located in the village of Delbi.

Mr. Underwood offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the committee on agriculture be discharged from the further consideration of so much of the Governor's message as relates to the establishment of an agricultural college and mechanical school, and that the same be referred to a select committee.

Ordered, That said resolution be laid upon the table.

In pursuance of previous notice, Mr. Underwood asked for and obtained leave to introduce a bill entitled, "An act for the relief of Abijah Fitch, Thomas M. Hunt and Henry H. Cooley," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Underwood asked for and obtained leave to introduce a bill entitled, "An act to confirm the title of George Webber to real estate conveyed to him by James Chappell," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Underwood asked for and obtained leave to bring in a bill entitled, "An act for the relief of Eleazer Hills," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on state prisons.

Mr. Hatch gave notice that he would, on some future day, ask leave to introduce a bill in relation to the powers and duties of the town superintendents of common schools.

Mr. Jayne gave notice that he would, at some future day, ask leave to introduce a bill to more effectually equalize taxation.

Also, gave notice that he would, at an early day, ask leave to introduce a bill to abolish the present offices of coroners, and confer the same power on justices of the peace.

Mr. Graham gave notice that he would, on some future day, introduce a bill repealing an act entitled, "An act establishing free schools throughout the State, passed March 26, 1849."

Mr. Le Roy gave notice that he would, at an early day, ask leave

to bring in a bill entitled, "An act in relation to the auditing of town and county charges."

Mr. Cady gave notice that he would, at a future day, introduce a bill to amend the act to revise and amend the several acts relating to the city of Brooklyn.

Mr. Underwood gave notice that he would, at an early day, ask leave to bring in a bill require the life insurance companies of other states and foreign countries to place a fund in the hands of trustees, resident in this State, as a guarantee fund for the payment of all losses on policies issued by the said companies to citizens of this State.

On motion of Mr. Le Roy,

Resolved, That it be referred to the standing committee on the judiciary, to ascertain whether by the existing provisions of law, the personal property of married women, held by them in their own right, is subject to taxation, and if not taxable that they be instructed to report by bill.

Mr. Moss offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, (If the Senate concur,) That the Secretary of State cause to be compiled and printed in pamphlet form, all the laws of this State now in force relating to the poor thereof, and distribute a copy thereof to each of the town clerks and officers of this State charged with the administration of the poor laws.

Ordered, That said resolution be laid upon the table.

In pursuance of previous notice, Mr. Le Roy asked for and obtained leave to introduce a bill entitled, "An act for the relief of Henry G. Beach," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the Onondaga delegation.

On motion of Mr. O. Allen,

Resolved, That the petition and papers connected therewith, of John G. Wheelock, presented to the last Assembly, be taken from the files and referred to the committee on claims.

Mr. Coffin gave notice that he would, at an early day, introduce a bill to renew the charter of a dam across the Susquehanna river at Portlandville, Otsego co.

In pursuance of previous notice, Mr. Coffin asked for and obtained leave to bring in a bill entitled, "An act to prevent the arrest or removal of free citizens of this State beyond its jurisdiction except for crimes."

Mr. Speaker announcing the question to be on the first reading of said bill, Mr. A. A. Thompson objecting thereto,

Mr. Speaker put the question whether the House would agree to said first reading, and it was determined in the affirmative.

{ AYES 103 }
{ NOES 20 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

O. Allen
Anthon

Colvin
Cooke

L. Harris
Hatch

McLouth
Mitchell

A. Smith
E. T. Smith

Atwood	Congdon	Heath	Miles	Saell
R. Babcock	Corser	Hewit	Minier	Southwick
J. W. Babcock	Davis	Higby	Moss	Stevens
Backhouse	Dennison	Hinds	Nelson	Stewart
Baker	Douglass	Horton	Noble	Stratton
J. Benedict	Doyle	Hoppin	Norton	Speaker
T. H. Benedict	Elderkin	Humphrey	Pardee	O. C. Thompson
Bottom	Ely	Ingersoll	E. Perry	Townsend
Bradley	Farr	Jayne	J. L. Perry	Tuthill
Brayton	Ferris	Kinsley	Pool	Underwood
Briggs	Feller	Kellogg	Rockwell	Wakeman
Burroughs	Fisk	Lake	Rouse	Ward
Bushnell	Fitzhugh	Langdon	Rowe	Welden
Cady	Fordyce	Lawyer	Rumsey	Wheeler
Campbell	Gilbert	Leggett	W. Russell	Whiteside
Carrington	Gleason	Le Roy	Severance	Wooster
Chamberlin	Graham	Lesley	Shall	Wright
J. F. Clark	A. A. Gregory	Lewis	Shultes	Yeomans
Coffin	H. Harris	Lyon		

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Those who voted in the negative are,

H. J. Allen	Bishop	Dewey	Rider	Sherman
Barnes	Blackstone	French	Robinson	Sickles
Belknap	Bowne	W. S. Gregory	W. F. Russell	Swords
Bird	G. Clark	Greene	Ryan	A. A. Thompson

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The second reading was then moved, and objected to, and laid over.

In pursuance of previous notice, Mr. Robinson asked for and obtained leave to introduce a bill entitled, "An act regulating the assessment of taxes on incorporated companies," which was read the first time and by unanimous consent was also read a second time, and referred to the committee on grievances

In pursuance of previous notice, Mr. Ferris asked for and obtained leave to bring in a bill entitled, "An act to amend the code of procedure, in relation to appeals from the supreme court to the court of appeals," which was read the first time and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Ferris asked for and obtained leave to introduce a bill entitled, "An act to amend the code of procedure in relation to the trial of equity and other actions," which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on the judiciary.

Mr. Burroughs asked for and obtained leave to introduce in a bill entitled, "An act to provide for the support of common schools," which was read the first time and by unanimous consent was also read a second time.

Mr. Burroughs moved that the said bill be committed the committee of the whole.

Mr. Townsend moved that said bill be referred to the committee on colleges, academies and common schools.

Mr. Speaker put the question whether the House would agree to

the said motion of Mr. Townsend, and it was determined in the affirmative.

In pursuance of previous notice, Mr. W. S. Gregory asked for and obtained leave to bring in a bill entitled, "An act to provide for the relief of the survivors of the first regiment of the N. Y. Volunteers, who served in the war with Mexico," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee.

Mr. W. S. Gregory offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the bill for the relief of the volunteers attached to first N. York regiment, be referred to a select committee of five, who shall be empowered to proceed to New-York, for the purpose of collecting information to lay before this House.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. Elderkin moved that the bill entitled, "An act to provide for the support of common schools," be printed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the affirmative.

Mr. Lyon gave notice, that at an early day, he would ask leave to introduce a bill for the election of five honorary delegates, by joint resolution of the Legislature, to attend, without compensation, the London Industrial Fair, of 1851.

Mr. J. Benedict gave notice that at a future day he would ask leave to introduce a bill to amend the 399th section of the code of procedure.

On motion of Mr. Horton,

Resolved, That the officers of this House be supplied with the same number of papers, and the same privilege of postage voted to the members, and the expense be paid by the Clerk, out of the contingent fund of the House.

Mr. J. Benedict gave notice that he would at a future day, ask leave to introduce a bill authorizing the board of supervisors of Oneida county, to levy a tax of \$15,000, for the purpose of erecting a court house and jail, in the city of Utica, pursuant to a resolution of said board, at their annual session, in November, 1850.

In pursuance of previous notice, Mr. J. Benedict asked for and obtained leave to bring in a bill entitled, "An act to abolish the recorder's court of the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Severance gave notice that would at an early day, ask leave to introduce a bill, requiring additional proof by boards of supervisors, in auditing the accounts of certain town and county officers.

On motion of Mr. J. Benedict,

Resolved, That the petition of Josiah S. Kellogg, and the papers accompanying the same, for canal damages, be taken from the files of this House, and referred to the committee on claims.

On motion of Mr. Wooster,

Resolved, That the petition and other papers, of A. G. Rozecrants, of the county of Herkimer, praying for relief in the matter of the claim of the heirs of Jost Bell, deceased, for canal damages, be taken from the files and referred to the committee on claims.

Mr. J. Benedict gave notice, that at a future day, he would ask leave to introduce a bill, to amend the fortieth section of the act in relation to the judiciary, passed, May 12, 1847.

On motion of Mr. Chamberlin,

Resolved, That the petition and papers relating to the claims of Mr. W. H. C. Hosmer, be taken from the files of the House, and referred to the committee on grievances.

Mr. Chamberlin gave notice, that he would at some future day, ask leave to bring in a bill for the discharge of Mrs. Sarah McFrancis, who has been confined in the jail of Livingston county, for the last nine months, for contempt, in refusing to pay over a small sum of money, left with her by her husband, for the support of her infant children, to her husband's creditors.

Mr. Elderkin moved to reconsider the vote adopting the resolution authorizing the purchase of a copy of the Assembly Journal for 1850, for each of the members of the Legislature.

Mr. Speaker then put the question whether the House would agree to the said motion, and it was determined in the affirmative.

The question recurring upon the adoption of the resolution.

Mr. Townsend moved to refer to the printing committee.

Mr. Burroughs moved to lay on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the said motion of Mr. Townsend and it was determined in the affirmative.

Mr. Anthon gave notice that he would, at some future day, ask leave to introduce a bill entitled, "An act to amend an act entitled, 'An act for the appointment of commissioners, as required by the seventeenth section of article one, and by the twenty-fourth section of article six, of the Constitution,' passed April 8th, 1847."

On motion of Mr. Fitzhugh,

Resolved, That that portion of the Governor's message relating to the appointment of an agent to the World's Fair, to be holden in May, 1851, be taken from the standing committee, and referred to a select committee of five.

Mr. Colvin gave notice that he would at some future day, ask leave to introduce a bill, conferring on supervisors of towns and cities, the power to take the acknowledgment of deeds and mortgages.

Mr. Underwood moved to lay the present order of business on the table.

Mr. Speaker put the question whether the House would agree to the said motion, and it was determined in the affirmative.

On motion of Mr. Wakeman,

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to change the time of holding the next circuit court and court of oyer and terminer, appointed to be held in and for the county of Oneida."

"An act to amend an act entitled, 'An act for increasing the number of justices of the superior court of the city of New-York, and for extending the jurisdiction of that court,' passed March 24, 1849, and the act amending the same, passed April 10, 1849, and also to amend title five, of part first of the code of procedure"

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. O. Allen, from said committee, reported that the committee had had said bills under consideration, and agreed to the same, which report was agreed to.

Ordered, That the said bills be engrossed for a third reading.

On motion of Mr. Elderkin,

Resolved, That the bill introduced by him this day on the subject of making appropriations to academies of this State, be printed.

On motion of Mr. Tuthill,

The House then adjourned.

SATURDAY, JANUARY 11, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Pohlman.

The minutes of yesterday were read, and after having been corrected were approved.

Mr. Wakeman presented the petition of sundry inhabitants of the city of New-York, for the passage of a general law for the incorporation of building and accumulating associations, which was read and referred to the committee on the judiciary.

Mr. Langdon presented the petition of citizens of Columbia co., for the repeal of the law making the excise moneys of the several towns payable to the county treasurer for the poor fund, and for the passage of an act making such moneys payable to the commissioners of highways of the towns in which such moneys have been raised, which was read and referred to the committee on roads and bridges.

Mr. Southwick presented the petition of John P. Hurlburt and others, of Seneca co., praying for a law to provide for the payment of certain damages to their timber and lands, from the Erie canal, which was read and referred to the committee on claims.

Mr. Ferris presented the petition and papers of sundry inhabitants of the town of Groton, Tompkins co., for the passage of an act to discontinue a road in said town, which was read and referred to the committee on roads and bridges.

Mr. T. H. Benedict presented the petition of taxable inhabitants of the town of Greenburgh, Westchester co., praying for the repeal of an act entitled, "An act in relation to highways in said town, passed April 10, 1849," which was read and referred to the committee on roads and bridges.

Mr. L. Harris presented the resolutions of the board of supervisors of Chenango co, relative to the provisions of the act of 1847, for the establishment of teachers' institutes, which were read and referred to the committee on colleges, academies and common schools.

Mr. Sickles presented the petition of certain inhabitants of the town of Ramapo, Rockland co., praying for a change in the present school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Southwick presented the petition of Jacob Chamberlain, of the town of Seneca Falls, Seneca co., for a law to provide for the payment of certain canal damages sustained by him, which was read and referred to the committee on claims.

Mr. Leggett presented the resolutions of the board of supervisors of Saratoga co., praying that that county may be exempted from all the provisions of the new school act, which were read and referred to the committee on colleges, academies and common schools.

Mr. L. Harris presented the resolutions of the board of supervisors of Chenango co., relative to summoning a grand jury for the court of sessions in said county, which was read and referred to the committee on the judiciary.

Mr. Moss presented the petition of O. Phelps and W. J. Young, for a law authorising them to build a mill-race from above Niagara Falls to Lewiston, which was read and referred to the committee on trade and manufactures.

Mr. Hewitt presented the petition of inhabitants of the town of Schuyler Falls, Clinton county, for the passage of a law changing the name of said town to Freemont, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Pardee presented the memorial of John Greig, praying for the passage of an act reviving and renewing the charter of the Sodus canal company, so as to enable them to construct a canal from the Erie canal to Great Sodus Bay, which was read and referred to the committee on canals.

Mr. Graham presented the petition of Wm. Vaughn and others, inhabitants of Tompkins county, praying for a repeal of the free school act, which was read and referred to the committee on colleges, academies and common schools.

Mr. Langdon presented the petition of supervisors of Columbia county, for a law authorizing the county treasurer to pay out of the contingent fund of said county, 100 dollars for the benefit of the Hudson orphan relief asylum, which was read and referred to the committee on charitable and religious societies.

Mr. Kinsley presented the petition of inhabitants of Gilboa, and Conesville, Schoharie county, for a law authorizing the erection of a new county, from parts of Greene, Delaware and Schoharie, which

was read and referred to the committee on the internal affairs of towns and counties.

Mr. Miles presented five several petitions of citizens of Addison, Steuben county, praying for a law, making the town of Addison a half-shire town, which was read and referred to the committee on the erection and division of towns and counties.

Mr. H. Harris, from the select committee to which was referred the bill entitled, "An act to provide for the organization and government of the police of the city of Albany," reported that the committee had examined the said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Le Roy, from the select committee to which was referred the bill entitled, "An act for the relief of Henry G. Beach," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. J. Benedict, from the select committee to which was referred the bill entitled, "An act to incorporate the Rome water works company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Speaker laid before the House, the annual statement of the unclaimed dividends and deposits of the Bank of Albany, which was referred to the committee on banks and insurance companies.

The bill entitled, "An act to amend an act entitled, 'An act for increasing the number of justices of the superior court, of the city of New-York, and for extending the jurisdiction of that court, passed March 21, 1849, and the act amending the same, passed April 10, 1849,' and to amend title one, part first, of the code of procedure," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 113 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	G. Clark	W. S. Gregory	Macomber	A. Smith
Anthon	J. F. Clark	H. Harris	Miles	E. T. Smith
Atwood	Coffin	L. Harris	Minier	Snell
R. Babcock	Colvin	Hatch	Moss	Southwick
J. W. Babcock	Cooke	Heath	Nelson	Stevens
Backhouse	Congdon	Hewit	Noble	Stewart
Baker	Corsar	Higby	Norton	Stillwell
Barnes	Davis	Hinds	Pardee	Stratton

Belknap	Douglass	Horton	E. Perry	Swords
J. Benedict	Doyle	Hoppin	J. L. Perry	Speaker
T. H. Benedict	Elderkin	Humphrey	Pool	A. A. Thompson
Bird	Ely	Ingersoll	Robinson	O. C. Thompson
Blackstone	Farr	Jayne	Rockwell	Townsend
Bottom	Ferris	Kinsley	Rouse	Tuthill
Bowne	Feller	Kellogg	Rumsey	Underwood
Bradley	Fisk	Lake	W. F. Russell	Wakeman
Brayton	Fitzhugh	Langdon	Ryan	Ward
Briggs	Fordyce	Lawyer	Severance	Welden
Burroughs	French	Le Roy	Shall	Whiteside
Bushnell	Gilbert	Lesley	Sherman	Wooster
Cady	Gleason	Lewis	Shultes	Wright
Campbell	Graham	Lyon	Sickles	Yeomans
Chamberlin	A. A. Gregory	McLouth		

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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to change the time of holding the next circuit court, and court of oyer and terminer appointed to be held in and for the county of Oneida," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Cady	Graham	Macomber	A. Smith
Antho	Campbell	A. A. Gregory	Miles	Snell
Atwood	Chamberlin	W. S. Gregory	Minier	Southwick
R. Babcock	G. Clark	H. Harris	Moss	Stevens
J. W. Babcock	J. F. Clark	L. Harris	Nelson	Stewart
Backhouse	Coffin	Heath	Noble	Stratton
Baker	Colvin	Hewit	Norton	Swords
Barnes	Cooke	Higby	Pardee	Speaker
Belknap	Congdon	Hinds	E. Perry	A. A. Thompson
J. Benedict	Corser	Horton	J. L. Perry	O. C. Thompson
T. H. Benedict	Elderkin	Hoppin	Pool	Tuthill
Bird	Ely	Humphrey	Rouse	Underwood
Blackstone	Farr	Ingersoll	Rowe	Wakeman
Bottom	Ferris	Lake	Rumsey	Ward
Bowne	Feller	Langdon	W. F. Russell	Welden
Bradley	Fisk	Lawyer	Ryan	Whiteside
Brayton	Fitzhugh	Le Roy	Shall	Wooster
Briggs	Fordyce	Lesley	Sherman	Wright
Burroughs	Gilbert	Lewis	Shultes	Yeomans
Bushnell	Gleason	McLouth	Sickles	

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

Mr. Speaker announced the following as the standing committees of the House, to wit :

Ways and Means.

Mr. Wheeler,
Mr. Elderkin,
Mr. E. Perry,

Mr. Wakeman,
Mr. Bird.

Commerce and Navigation.

Mr. Wakeman,
Mr. H. J. Allen,
Mr. Hatch,

Mr. Severance,
Mr. Cady.

Canals.

Mr. O. Allen,
Mr. Burroughs,
Mr. Lyon,

Mr. Townsend,
Mr. Graham.

Railroads.

Mr. Varnum,
Mr. Horton,
Mr. Norton,

Mr. Lesley,
Mr. Humphrey.

Banks and Insurance Companies.

Mr. Underwood,
Mr. Elderkin,
Mr. Robinson,

Mr. Douglass,
Mr. Hinds.

Two-thirds and Three-fifths Bills.

Mr. Anthon,
Mr. Noble,
Mr. Belknap,

Mr. Rowe,
Mr. Carrington.

Colleges, Academies and Common Schools.

Mr. T. H. Benedict,
Mr. Ferris,
Mr. Feller,

Mr. Swords,
Mr. Burroughs.

Grievances.

Mr. Backhouse,
Mr. Wright,
Mr. Yeomans,

Mr. Chamberlin,
Mr. Cooke.

Petitions of Aliens.

Mr. J. Benedict,
Mr. Cady,
Mr. Ferris,

Mr. Higby,
Mr. Stratton.

Privileges and Elections.

Mr. Bishop,
Mr. Welden,
Mr. Maurice,

Mr. A. A. Thompson,
Mr. Ely.

Erection and Division of Towns and Counties.

Mr. Pardee,
Mr. Wooster,
Mr. O. C. Thompson,

Mr. Bradley,
Mr. Hoppin.

Claims.

Mr. Severance,
Mr. Hatch,
Mr. Nelson,

Mr. Blackstone,
Mr. Sherman.

Internal Affairs of Towns and Counties.

Mr. Bird,
Mr. Rockwell,
Mr. Ryan,

Mr. Campbell,
Mr. Moss.

Medical Societies and Colleges.

Mr. J. L. Perry,
Mr. Dennison,
Mr. Farr,

Mr. Tuttle,
Mr. Bottum.

State Prisons.

Mr. Macomber,
Mr. Colvin,
Mr. Hewit,

Mr. Baker,
Mr. J. L. Perry.

Public Lands.

Mr. Lyon,
Mr. W. S. Gregory,
Mr. E. T. Smith,

Mr. J. W. Babcock,
Mr. Stewart.

Incorporation of Cities and Villages.

Mr. Baker,
Mr. Coffin,
Mr. Carrington,

Mr. Rouse,
Mr. H. Harris.

Engrossed Bills.

Mr. Southwick,
Mr. Fordyce,
Mr. Kinsley,

Mr. Lawyer,
Mr. Snell.

Agriculture.

Mr. Brayton,
Mr. Stillwell,
Mr. Leggett,

Mr. Whiteside,
Mr. Lake.

Expiring Laws.

Mr. Gleason,
Mr. Sickles,
Mr. Congdon,

Mr. Langdon,
Mr. Greene.

Judiciary.

Mr. Townsend,
Mr. Le Roy,
Mr. Maurice,
Mr. Briggs,

Mr. J. Benedict,
Mr. Heath,
Mr. A. Smith.

Public Printing.

Mr. Norton,
Mr. Graham,
Mr. Bishop,

Mr. Dennison,
Mr. H. J. Allen.

Joint Library.

Mr. H. Harris,
Mr. Stratton,
Mr. Anthon,

Mr. Varnum,
Mr. Fitzhugh.

Indian Affairs.

Mr. A. A. Gregory,
Mr. Corser,
Mr. Gilbert,

Mr. Dougherty,
Mr. Higby.

Manufacture of Salt.

Mr. Stevens,
Mr. Lewis,
Mr. W. Russell,

Mr. G. Clark,
Mr. McLouth.

Militia and Public Defence.

Mr. L. Harris,
Mr. Elwood,
Mr. R. Babcock,

Mr. French,
Mr. Davis.

Charitable and Religious Societies.

Mr. Ward,
Mr. Miles,
Mr. J. F. Clark,

Mr. Fisk,
Mr. Doyle.

Trade and Manufactures.

Mr. Rumsey,
Mr. W. F. Russell,
Mr. Shall,

Mr. Shultes,
Mr. Kellogg.

Roads and Bridges.

Mr. Lesley,
Mr. Bowne,
Mr. Jayne,

Mr. Ingersoll,
Mr. Hewit.

Expenses of Executive Department.

Mr. Moss,
Mr. Pool,
Mr. Rider,

Mr. Welden,
Mr. Dewey.

Expenses of House.

Mr. Atwood,
Mr. Southwick,
Mr. Barnes.

Mr. Bushnell,
Mr. Yeomans.

On motion of Mr. Elderkin,

Resolved, That the reporters of the daily papers of this House be supplied with knives, and such documents, stationery and papers as are furnished to members of the House, and that the same be paid for out of the contingent fund of the House.

In pursuance of previous notice, Mr. Elderkin asked for and obtained leave to bring in a bill entitled, "An act to amend an act declaring Rackett river a public highway," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of the St. Lawrence and Franklin delegations.

Mr. Tuthill offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That all public documents deposited by members with the Sergeant-at-Arms for mail or express, shall be forwarded by him as directed, and the postage and express charges on the same shall be paid by the Clerk out of the contingent fund of the House.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

In pursuance of previous notice, Mr. O. Allen asked for and obtained leave to bring in a bill entitled, "An act to extend the operation and effect of the act passed Feb. 1848, entitled, 'An act to authorise the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

In pursuance of previous notice, Mr. Le Roy asked for and obtained leave to introduce a bill entitled, "An act in relation to the auditing of town and county charges," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. E. T. Smith,

Resolved, That the committee on Indian affairs be relieved from the consideration of the petition of the Shinecock Indians for relief, and that it be referred to a select committee composed of the Suffolk county delegation.

Mr. L. Harris offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the Clerk procure a copy of the new general index to the laws of this State from 1777 to 1850, inclusive, published by Mr. John S. Voorhies, for each of the members of this House, and that the same be paid for out of the contingent fund thereof.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

In pursuance of previous notice, Mr. Gleason asked for and ob-

tained leave to bring in a bill entitled, "An act to authorizing the election of three trustees, and a district clerk, in school district number sixteen, located in the village of Delhi," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Lyon asked for and obtained leave to bring in a bill entitled, "An act to provide for the representation of the State of New-York, in the world's industrial exhibition, at London," which was read the first time, and by unanimous consent was also read the second time, and referred to the select committee on so much of the Governor's message, as relates to that subject.

In pursuance of previous notice, Mr. A. Smith asked for and obtained leave to introduce a bill entitled, "An act to amend an act to provide for the incorporation of villages, passed Dec. 7, 1847, and to confirm the official acts of certain officers," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

|| In pursuance of previous notice, Mr. Clark asked for and obtained leave to bring in a bill entitled, "An act to amend an act authorizing the Syracuse and Tully plank road company, to make a branch of their road through the lands of the Onondaga Indians," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. J. Benedict asked for and obtained leave to introduce a bill entitled, "An act to authorize the supervisors of Oneida co., to levy a tax of fifteen thousand dollars to build a court house and jail in the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the Oneida delegation.

In pursuance of previous notice, Mr. J. Benedict asked for and obtained leave to introduce a bill entitled, "An act to amend the fortieth section of the act entitled 'An act in relation to the judiciary,' passed May 12, 1847," which was read the first time and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. J. Benedict asked for and obtained leave to introduce a bill entitled, "An act to amend the 399th section of the code of procedure," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Stevens asked for and obtained leave to bring in a bill entitled, "An act to reduce the fare on railroads of this State," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee.

In pursuance of previous notice, Mr. Doyle asked for and obtained leave to introduce a bill entitled, "An act authorizing the

Delaware plank road company, to borrow money," which was read the first time and by unanimous consent was also read a second time, and referred to a select committee consisting of the Delaware county delegation.

Mr. Pool gave notice that he would, at some future day, ask leave to introduce a bill to change the name of Hamilton Van Brocklin.

Mr. E. T. Smith gave notice that he would, at an early day, ask leave to introduce a bill to amend the Revised Statutes in relation to assessments.

On motion

Resolved, That the papers on file, in relation to the claim of George Kinsella, against the State, be referred to the committee on claims.

Mr. G. Clark gave notice, that he would, at an early day, ask leave to introduce a bill for the incorporation of a savings bank, to be located in the city of New-York, to be called the New-York savings bank.

On motion of Mr. Southwick,

Resolved, That the petition and proofs touching the claims of Jacob Chamberlain, for canal damages, presented to the Legislature of 1849, be taken from the files, and referred to the committee on claims.

On motion of Mr. Backhouse,

Resolved, That in addition to the usual number, there be printed two hundred and fifty copies of the Adjutant General's report for the use of his department.

On motion of Mr. Townsend,

Resolved, That the petition and papers of James H. Hooker, in relation to canal damages, be taken from the files, and referred to the committee on claims.

On motion of Mr. Moss,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, (If the Senate concur,) That the Secretary of State cause to be compiled and printed in pamphlet form, all the laws of this State now in force relating to the poor thereof, and distribute a copy thereof to each of the town clerks and officers of this State charged with the administration of the poor laws.

On motion of Mr. Elderkin,

Ordered, That the said resolution be referred to the committee on printing.

The bill entitled, "An act to prevent the arrest or removal of free citizens of this State beyond its jurisdiction except for crime," was read a second time.

Mr. Burroughs moved to refer said bill to a select committee.

Mr. Wheeler moved to refer the same to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wheeler, and it was determined in the affirmative.

Mr. Underwood offered for the consideration of the House, resolutions in the words following, to wit :

Resolved, (If the Senate concur,) That the Senators and Representatives from the State of New-York, now in Congress assembled, be and they are respectively hereby earnestly and respectfully requested to use their early and efficient efforts to procure, during the present session of Congress, the passage of a law reducing the postage upon prepaid letters to two cents, and upon unpaid letters to three cents, for any distance. And the said Senators and Representatives are hereby further in like manner requested to procure the passage of a law, at this session of Congress, allowing all newspapers received by actual subscribers within the county of their publication, or within the distance of forty miles from the place of publication, to be sent and so received by mail free of any charge for postage.

Resolved, (If the Senate concur,) That the Governor of the State of New-York be requested to transmit to each of our Senators and Representatives in Congress a copy of the above resolution.

Ordered, That said resolutions be laid upon the table.

Mr. Stevens gave notice that he would, at an early day, ask leave to introduce a bill to abolish imprisonment for debt.

Mr. Cady gave notice that he would, at a future day, ask leave to introduce a bill to amend the act entitled, "An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State, passed April 11, 1849."

Mr. Noble gave notice that he would, at a future day, ask leave to introduce a bill providing for the registry of marriages, births and deaths in the several towns and wards of this State.

On motion of Mr. Underwood,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit:

Resolved, That the committee on agriculture be discharged from the further consideration of so much of the Governor's message as relates to the establishment of an agricultural college and mechanical school, and that the same be referred to a select committee.

On motion of Mr. Le Roy,

The same was amended by adding the words "to consist of one from each judicial district in this State."

Mr. Speaker put the question whether the House would agree to the said resolution, as amended, and it was determined in the affirmative.

On motion of Mr. Elderkin,

The House then adjourned.

MONDAY, JANUARY 13, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Howard.

The minutes of Saturday were read and approved.

Mr. Wheeler presented the memorial of sundry inhabitants of Malone, Franklin county, for the passage of an act to provide for the

improvement of the arsenal green, in said village, which was read and referred to the committee on public lands.

Mr. Ingersoll presented the petition of sundry inhabitants of the town of Bainbridge, Chenango co., for the passage of an act incorporating the Bainbridge and Lanesboro steam navigation company, which was read and referred to the committee on trade and manufactures.

Mr. Backhouse presented the petition of the board of supervisors of Kings co., to amend the charter of city of Brooklyn, which was read and referred to the committee on the judiciary.

Mr. Backhouse presented the petition of the board of supervisors of Kings county, for power to employ a clerk to make out tax list, &c., which was read and referred to the committee on the incorporation of cities and villages.

Mr. Kinsley presented two petitions of inhabitants of the town of Roxbury, Delaware county, for the erection of a new county from parts of Greene, Delaware, and Schoharie counties, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Hoppin presented two petitions of sundry inhabitants of the town of Nelson, Madison county, for the laying out of a road in said town, which were read and referred to the committee on roads and bridges.

Mr. Hoppin presented the petition of sundry inhabitants of the town of Earlville, Madison county, for the repeal of the school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Lake presented the petition of inhabitants of Mt Morris, Livingston county, for the repeal of the school law, and for other purposes, which was read and referred to the committee on colleges, academies and common schools.

Mr. Carrington presented the petition of the trustees of Presbyterian congregation of Bath, Steuben county, for relief, which was read and referred to the committee on charitable and religious societies.

Mr. Hatch presented the petition of occupants of certain lots in Scriba's patent town of Volney, Oswego county, to be set off to the adjoining town of Palermo, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. LeRoy presented the petition and resolutions of the board of supervisors of Onondaga county, for the passage of a law in relation to the penitentiary of said county, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. LeRoy presented the petition of the board of supervisors of Onondaga county, asking for an amendment of the law in relation to the duties of superintendents of the poor, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Ferris presented the petition of members of the bar of Tompkins county, for the passage of an act to fix the salary of the district attorney of said county, at \$600, which was read and referred to the committee on the judiciary.

Mr. Miles presented the petition of sundry inhabitants of the town of Orange, Steuben county, for the passage of a law, providing more effectually for the education of poor and destitute children, which was read and referred to the committee on colleges, academies and common schools.

Mr. Southwick presented the petition and resolutions of the board of supervisors of Seneca county, to repeal that portion of the Revised Statutes, which relates to the assessment of taxes on incorporated companies, and the commutation thereof, which were read and referred to a select committee.

Mr. Wheeler presented the petition of S. B. Ludlow, of Oswego, for the passage of a law, providing that a small piece of land in said city, be attached to lands heretofore purchased by him of the State, on paying a proper compensation therefor, which was read and referred to the committee on public lands.

Mr. Yeomans presented two petitions of sundry inhabitants of Wayne county, for a division of said county, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Miles presented the petition of citizens of the town of Addison, Steuben co., for the passage of a law, making the town of Addison, a half shire-town in said country, which was referred to the committee on the erection and division of towns and counties.

Mr. T. H. Benedict presented the petition of inhabitants of Dobbs Ferry and Hastings, for the total suppression of the liquor traffic in this State, which was read and referred to a select committee.

Mr. Southwick presented the petition and resolutions of the board of supervisors of Seneca county, for the passage of a law making the office of district attorney of said county, a salaried office, which was referred to the committee on the internal affairs of towns and counties.

Mr. Bottum presented the petition of Lyman Sherwood, Fred. Cornwell, and 59 others, citizens of the town of Lyons, Wayne co., for the re-charter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to abolish the recorder's court in the city of Utica," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act in relation to the liberties of jails," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to repeal the provisions of the Revised Statutes exempting ministers of the gospel from taxation," re-

ported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to repeal an act providing for the registry of births, marriages and deaths, passed April 28, 1847," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. J. Benedict, from the select committee to which was referred the bill entitled, "An act to authorise the supervisors of the county of Oneida to levy a tax of \$15,000 for the purpose of building a court house and jail in the city of Utica," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Elderkin, from the select committee, to which was referred the bill entitled, "An act to amend an act declaring Racket river a public highway," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Doyle, from the select committee, to which was referred the bill entitled, "An act authorising the Delaware plank road company to borrow money to be expended in paying contracts and other claims for finishing the road belonging to said company," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

A communication was received from the secretary of the New-York State Ag. Society, inviting the members of the Assembly to attend their annual meeting, to be held on the 15th inst.

A communication was received from the New-York State Ag. Society, requesting the use of the Assembly chamber on the afternoon of Wednesday and the evenings of Wednesday and Thursday next, for the purpose of holding their annual meeting.

On motion of Mr. Elderkin,

Resolved, That this House do adjourn on Wednesday at 12 M. for the purpose of giving the use of this chamber to the N. Y. State Ag. Society, and for the two succeeding evenings.

A message from the Senate was received and read, informing that they had passed without amendment, the bill entitled, as follows:

"An act to provide for the drawing of a petit jury in the county of Schoharie."

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. T. H. Benedict,

Resolved, That "An act making appropriations to certain academies in the State of New-York." be taken from the committee of the whole and referred to the committee on colleges academies, and common schools.

On motion of Mr. Wheeler,

Resolved, That the motion referring the bill entitled, "An act to reduce the fare on the railroads of this State," be reconsidered, and that said bill be referred to the standing committee on railroads.

In pursuance of previous notice, Mr. Wheeler asked for and obtained leave to introduce a bill entitled, "An act authorizing certain railroad companies in this State, to change the time for the election of directors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

On motion of Mr. Wheeler,

Resolved, That the bill entitled, "An act authorising certain railroad companies in this State, to change the time for the election of directors," be printed, and referred to the committee of the whole House.

In pursuance of previous notice, Mr. Cady asked for and obtained leave to bring in a bill entitled, "An act to amend the act entitled, 'An act to simplify and abridge the practice, pleadings and proceeding of the courts of this State,' passed April 12, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Wakeman asked for and obtained leave to bring in a bill entitled, "An act for the incorporation of building, and accumulating fund associations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Wakeman,

Ordered, That said bill be printed.

In pursuance of previous notice, Mr. Wheeler asked for and obtained leave to introduce a bill entitled, "An act authorising railroad companies in this State, to take and hold stock in any telegraph companies, for the purpose of aiding in the construction of a telegraph line, along the line of their roads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

On motion of Mr. Tuthill,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That all public documents deposited by members with the Sergeant-at-Arms for mail or express, shall be forwarded by him as directed, and the postage and express charges on the same shall be paid by the Clerk out of the contingent fund of the House.

On motion of Mr. Wheeler,

Ordered, That the said resolution be referred to the committee on expenditures.

Mr. A. A. Thompson gave notice that he would, at an early day, ask leave to introduce a bill to repeal an act entitled, "An act to extend the right of trial by jury, passed May 6, 1840."

In pursuance of previous notice, Mr. Robinson asked for and obtained leave to bring in a bill entitled, "An act in relation to the redemption of bank notes," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

In pursuance of previous notice, Mr. Hatch asked for and obtained leave to bring in a bill entitled, "An act in relation to the powers and duties of the town superintendents of common schools," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on colleges, academies, and common schools.

In pursuance of previous notice, Mr. Clark asked for and obtained leave to introduce a bill entitled, "An act to incorporate the New-York savings bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

On motion of Mr. Wakeman,

Resolved, That the petition and papers in relation to the claim of Ebenezer Prescott, be taken from the files of the House and referred to the committee on claims.

Mr. Wakeman gave notice that he would, at an early day, ask leave to introduce a bill for the establishment of free schools throughout the State, and for the repeal of the present free school law.

Mr. Ward gave notice that he would, at a future day, ask leave to bring in a bill for establishing in the city of New-York a savings bank, to be called the Broadway savings bank.

Mr. Cady gave notice that he would, at an early day, ask leave to introduce a bill entitled, "An act relative to the sheriff of the county of Kings."

On motion of Mr. O. Allen,

Resolved, That this House do accept the invitation to attend the annual meeting of the New-York State Agricultural Society, to be held in the Assembly chamber on the 15th January instant.

Mr. Rouse gave notice that he would, at an early day, ask leave to introduce a bill to amend the several acts relating to turppike and plank road companies.

Mr. Elderkin gave notice that he would, at some early day, introduce a bill to appropriate a small sum to discharge a mortgage held by the State, on which is due an arrearage of interest only.

Mr. Briggs gave notice that he would, at an early day, ask leave to introduce a bill for the better security of mechanics and others erecting buildings and furnishing materials therefor, in the county of Westchester.

Mr. Wheeler gave notice that he would at some future day, ask leave to introduce a bill, submitting the claim of Daniel Cornell, and Ransom Clark, to the electors of the town of Guilford, in the county of Chenango.

Mr. Robinson gave notice that he would at an early day ask leave to introduce a bill to prevent the distribution of any portion of the public moneys to the support of colleges and academies, otherwise than is now required by the constitution of the State.

Mr. Smith gave notice that he would at some future day, ask leave to bring in a bill asking the appropriation made by the Legislature of 1787, for the purpose of erecting a monument to the memory of Gen. Woodhull, who fell at the battle of Long Island, in 1776.

Mr. Southwick gave notice, that at some future day he would ask leave to bring in a bill to repeal section 9, 10, 11, 12, 13, and 14, of part first, chapter 13, title 4, of the Revised Statutes, concerning the assessment of taxes on incorporated companies, and the commutation therein referred to.

Mr. Southwick gave notice that he would at an early day, bring in a bill to make the office of district attorney of Seneca county, a salaried office, salary to be fixed by the board of supervisors of said county.

Mr. Baker gave notice that he would at an early day, ask leave to introduce a bill to incorporate the Williamsburgh savings bank, in the county of Kings.

Mr. Lyon gave notice that he would at some future day, ask leave to introduce a bill, for the purpose of declaring Moose river, a public highway.

Mr. Underwood offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the Clerk of this House, procure and furnish to each member and officer of this House, a copy of the "Manual," for the year 1851, and that the expense be paid out of the contingent fund of the House.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

On motion of Mr. Higby,

Resolved, That the bill entitled, "An act to provide for the election of county commissioners to equalize the valuation of real estate in the several towns and wards in each county," be printed for the use of the House.

Mr. H. Harris gave notice that he would at an early day, ask leave to introduce a bill to revive the act entitled, "An act to amend title 1. chapter 5, part 3 of the Revised Statutes, relative to the action of ejectment, passed May 7, 1840."

Mr. Burroughs gave notice that he would at some future day, ask leave to bring in a bill to provide for the incorporation of building associations.

Mr. Fordyce gave notice that he would at some future day, ask leave to bring in a bill to authorise the commissioners of highways, of the town of Pittsford, Monroe county, to pay to the commissioners of highways of the town of Perinton, the expense of laying out and opening a highway in said town of Perinton.

Mr. Robinson offered for the consideration of the House, resolutions in the words following, to wit :

Resolved, That the bill in relation to taxes on incorporations, which was referred to the committee on grievances, be taken from that committee, and referred to the select committee on that subject.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

On motion of Mr. O. Allen,

Resolved, That the papers which were presented at the last Assembly, in relation to the application of the Sodus bay canal company, for a renewal of their charter, be taken from the files, and referred to the committee on canals.

On motion of Mr. Hatch,

Resolved, That the petition and other papers, in relation to a free bridge over the Oswego river, and the Oswego canal, presented to this House, at its last session, be withdrawn from the files, and referred to the canal committee.

Mr. A. A. Thompson gave notice that he would, at an early day, ask leave to introduce a bill to authorise the formation of corporations for building purposes.

Mr. Hatch gave notice that he would, at some future day, ask leave to introduce a bill to incorporate the St. Patrick's literary and benevolent society of Oswego.

Mr. Le Roy offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the title to all bills introduced into this House for repealing, modifying or amending any existing law, shall state concisely the subject matter sought to be so modified, amended or repealed.

Ordered, That the said resolution be referred to the select committee on rules.

Ordered, That Messrs. Varnum, Elderkin, H. Harris, Le Roy and Severance, be such committee.

On motion of Mr. Sherman,

Resolved, That the motion made on Saturday last, discharging the committee on agriculture from the further consideration of that part of the Governor's message relating to the establishment of an agricultural college and mechanical school, and referring the same to a select committee, be reconsidered.

Mr. Speaker put the question whether the House would agree to the said resolution, which was in the words following, to wit :

Resolved, That the committee on agriculture be discharged from the further consideration of so much of the Governor's message as relates to the establishment of an agricultural college and mechanical school, and that the same be referred to a select committee of one from each judicial district ; and it was determined in the negative.

Mr. J. Benedict gave notice that he would, at an early day, ask leave to introduce a bill to amend the 302d section of the code of procedure.

Also, a bill to amend the law in relation to the fees of officers in criminal cases.

Mr. Wooster gave notice that he would, at some future day, ask leave to introduce a bill to amend chapter second, of title nine, of the

code of procedure, entitled, 'Of proceedings supplementary to the execution,' so as to give to the judge or officer before whom a judgment debtor may be brought for examination, discretionary power in granting the order for an application of the property of the judgment debtor or in the appointment of a receiver.

In pursuance of previous notice, Mr. Le Roy asked for and obtained leave to introduce a bill entitled, "An act in relation to the duties of the superintendents of the poor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act for the relief of the trustees and inhabitants of Union school district No. 5, in the villarge of Bath."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wheeler, from said committee, reported that the committee had gone through said bill, and agreed to the same with an amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

On motion of Mr. O. Allen,
The House adjourned.

TUESDAY, JANUARY 14, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Arnold.

The minutes of yesterday were read, and having been corrected, were approved.

Mr. Horton presented the petition of the chiefs and head men of the nation or tribe of Indians, known as the St. Regis Indians, which was read and referred to the Commissioners of the Land Office.

Mr. Campbell presented the petition of sundry inhabitants of Schoharie county, for an extra term of the court of oyer and terminer for said county, to be held on the second Monday of February, 1851, which was read and referred to the committee on the judiciary.

Mr. Jayne presented the petition of 145 citizens of the town of Benton, in the the county of Yates, praying that the Sodus canal company may be granted the privilege of completing their canal, which was read and referred to the committee on canals.

Mr. Briggs presented the petition to establish a ferry from Yonkers, in the county of Westchester, to the opposite shore of the Hudson river, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Bottum presented the petition of sundry inhabitants of the town of Rose, Wayne county, asking for the recharter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. LeRoy presented the petition of Daniel Dana, and 60 other citizens of Onondaga county, for a reduction of railroad fare, to two cents per mile, which was read and referred to the committee on railroads.

Mr. Lyon presented a petition for the relief of A Osborn, which was referred to the committee on grievances.

Mr. Townsend presented the memorial of the colonization society, of the State of New-York, asking for an appropriation, which was read and referred to the committee on charitable and religious societies.

Mr. Bottum presented the petition of sundry inhabitants of the town of Rose, Wayne county, asking for a division of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Sawyer presented the petition of the supervisors of Schoharie county, for the repeal of the school law, which was read and referred to the committee on colleges, academies, and common schools.

Mr. Heath presented the petition of John I. Schuyler, Marcus Mallory, and James H. Schuyler, for relief, which was read and referred to the committee on grievances.

Mr. Heath presented the petition of Shuler Cady, for relief, which was read and referred to the committee on grievances.

Mr. Leggett presented the petition of the electors of school district number 8, in the town of Galway, Saratoga co., for an amendment of the present school law, so as to raise all necessary funds for the support of schools, on all the property of the State alike, and to distribute that fund in equal sums to each district in the State, which was read and referred to the committee on colleges, academies and common schools.

Mr. Anthon presented the petition of the emigrant industrial savings bank, of the city of New-York, for an amendment of their charter, which was read and referred to the committee on banks and insurance companies.

Mr. Bottum presented the petition of 95 citizens of the town of Sodus, Wayne county, asking for a recharter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. Burroughs presented the petition of 115 inhabitants of Barre, Orleans co., for a repeal of the present school law, and for a general State tax to support common schools, which was read and referred to the committee on colleges, academies and common schools.

Mr. Lyon presented the petition of sundry inhabitants of Lewis co., that Moose river and its branches, be declared a public highway, which was read and referred to the committee on public lands.

Mr. Rouse presented the petition of sundry inhabitants of the towns of Vernon, Verona and Westmoreland, in the county of Oneida, for an act to authorise the appointment of commissioners to lay out a highway, which was read and referred to the committee on roads and bridges.

Mr. Varnum presented the petition of the East River insurance company, to extend the time for selling real estate, &c., which was read and referred to the committee on the judiciary.

Mr. Varnum presented the petition of the managers of the association for the benefit of colored orphans, praying the Legislature to grant them an appropriation for that institution, which was read and referred to the committee on charitable and religious societies.

Mr. Backhouse presented the petition of A. J. Bergen and others, to alter the commissioner's map of Brooklyn, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Backhouse presented the petition of the supervisors of Kings co., for a reduction of the fees of the sheriff of that county, which was read and referred to the committee on the judiciary.

Mr. Ingersoll presented the resolutions of the board of supervisors of Chenango co., in the nature of a petition, for the repeal of the free school law, which were read and referred to the committee on colleges, academies and common schools.

Mr. Underwood presented the petition of Benj. F. Comstock and 20 other citizens of the town of Springport, in Cayuga co., praying for the passage of a law prohibiting the sale of intoxicating liquors, which was read and referred to the select committee to be appointed on that subject.

Mr. Underwood presented the petition of Joseph Crane and 28 others, citizens of Springport, Cayuga co., for the passage of a law prohibiting the sale of intoxicating liquors, which was read and referred to the select committee to be appointed.

Mr. Hinds presented the petition of Jonathan Crompton and Chris. Birch, of the town of Windsor, county of Broome, for relief, which was read and referred to the committee on claims.

Mr. Bird presented a communication from the clerk of Erie county relative to the fees of his office, which was read and referred to the select committee on that subject.

Mr. Yeomans presented three petitions of citizens of Wayne co., for a division of said county, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Miles presented the petition of sundry inhabitants of Steuben co., praying that a law be passed making the town of Addison a half shire-town in said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Elderkin presented the petition of 85 legal voters of the village of Canton, St. Lawrence co., praying for an amendment of the village charter of the village of Canton, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Ingersoll presented the petition of sundry inhabitants of Bainbridge, in the county of Chenango, praying for an act to incorporate the Bainbridge and Lanesboro' steam navigation company, with a capital of \$20,000, which was read and referred to the committee on commerce and navigation.

Mr. Speaker announced the following three additional members of the committee on agriculture : Messrs. Feller, Minier, and Underwood. Also the following select committee on petitions for the relief of the survivors of the first regiment of New-York volunteers who served

in the war with Mexico : Messrs. W. S. Gregory, Atwood, O. A. Thompson, Corser and Backhouse.

Mr. J. Benedict, from the committee on the petitions of aliens, to which was referred the petition of George Truscott, an alien, praying for a law to authorise him to hold and convey real estate, reported adversely, and asked to be discharged from the further consideration of the same, which report was agreed to.

Mr. J. Benedict, from the committee on the petitions of aliens, to which was referred the petition of Mary Dempster, for a release of claims to real estate of which her husband died seised, reported adversely, and asked to be discharged from the further consideration of the same, which report was agreed to.

Mr. Lesley, from the committee on roads and bridges, to which was referred the bill entitled, "An act to amend an act entitled, 'An act to authorise the Syracuse and Tully plank road company to make a branch of their road through the lands of the Onondaga Indians,'" reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend an act to authorise the election of local officers to discharge the duties of county judge and surrogate in the county of Oneida," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend the code of procedure in relation to appeals from the supreme court to the court of appeals," reported that the committee had examined said bill, and had come to the conclusion that the same ought not to be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Stevens, from the committee on the manufacture of salt, to which was referred the petition of Thos. Wheeler, administrator of John Jacob Mang, deceased, reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of Thos. Wheeler, administrator of John Jacob Mang, deceased," which was read the first time and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the bill entitled, "An act to repeal an act relating to highways in the town of Greenburgh," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Speaker laid before the House the annual statement of the un-

claimed dividends and deposits of the Merchants' bank, in the city of New-York, which was read and referred to the committee on banks and insurance companies.

A message was received from the Senate, requesting the transmission to that body of the papers on file in this House, relating to the claim of Sage, Walrath and Dunham.

Ordered, That the Clerk transmit the same to the Senate.

The following concurrent resolution was received from the Senate, to wit :

Resolved, (If the Assembly concur,) That a joint committee be appointed to revise the joint rules for the Senate and Assembly, and that Mr. Babcock, Mr. Mann and Mr. Brandreth be of such committee on the part of the Senate.

The bill entitled, "An act for the relief of the trustees and inhabitants of union school district number five, in the village of Bath," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 119 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	J. F. Clark	A. A. Gregory	McLouth	E. T. Smith
Anthon	Coffin	W. S. Gregory	Macomber	A. Smith
R. Babcock	Colvin	Greene	Miles	Snell
J. W. Babcock	Cooke	H. Harris	Minier	Southwick
Backhouse	Congdon	Hatch	Moss	Stevens
Baker	Corser	Heath	Nelson	Stewart
Barnes	Davis	Hewit	Noble	Stilwell
Belknap	Dennison	Higby	Pardee	Stratton
J. Benediot	Dewey	Hinds	J. L. Perry	Swords
Bird	Douglass	Horton	Pool	Speaker
Bishop	Doyle	Hoppin	Rider	A. A. Thompson
Blackstone	Elderkin	Humphrey	Robinson	O. C. Thompson
Bottom	Ellwood	Ingersoll	Rockwell	Townsend
Bowne	Ely	Jayne	Rouse	Tuthill
Bradley	Farr	Kinsley	Rowe	Underwood
Brayton	Ferris	Kellogg	Rumsey	Varnum
Briggs	Feller	Lake	W. Russell	Wakeman
Burroughs	Fisk	Langdon	W. F. Russell	Ward
Bushnell	Fitzhugh	Lawyer	Ryan	Welden
Cady	Fordyce	Leggett	Severance	Whiteside
Campbell	French	Le Roy	Shall	Wooster
Carrington	Gilbert	Lesley	Sherman	Wright
Chamberlin	Gleason	Lewis	Shultes	Yeomans
G. Clark	Graham	Lyon	Sickles	

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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Anthon offered for the consideration of the House, resolutions, in the words following, to wit :

Resolved, (If the Senate concur,) That in the struggle that resulted in our independence, as a nation, amid the embarrassments

arising from the imperfection and weaknesses of the old confederation, and in the calm wisdom, that framed and secured the adoption of the present constitution of our country, we recognize the guidance of a merciful, benign, and overruling Providence.

Resolved, (If the Senate concur,) That we regard the union of these States, under the Constitution of the United States, as the source of the innumerable blessings of the past, and of all our hopes for the future, and that every motive of grateful recollection, and confident anticipation prompts us to maintain that Union, and that Constitution.

Resolved, (If the Senate concur,) That with the fidelity which honor and necessity demand, we will observe and fulfill the "explicit and solemn compact," to which the convention of 1788, in the name of the people of this State, gave their satisfaction and assent; and while we enjoy the privileges it confers, we will never seek to avoid the duties it imposes.

Resolved, (If the Senate concur,) That the blessings of liberty to ourselves, and our posterity, can only be perpetuated by a strict observance of all the provisions of the Constitution, and by cultivating that spirit of kindness, conciliation and concession in which the sacred compact had its origin.

Resolved, (If the Senate concur,) That we hail with joy the apparent prevalence of better and more fraternal feelings between patriotic citizens of the Southern and Northern States; that the attitude of the Executive and Legislative departments of the general government, upon the subject of the Union, is characterized by elevated purpose, and statesmanlike forecast; and that we will firmly stand by and maintain the compromise measures of the last session of Congress, regarding them as, on the whole, not merely wise and patriotic, but essential to the union and prosperity, peace and progress of this great confederacy.

Resolved, (If the Senate concur,) That the Governor be requested to transmit a copy of the foregoing resolutions, to each of the Senators and Representatives of this State in Congress.

Ordered, That said resolutions be laid upon the table.

In pursuance of previous notice, Mr. Elderkin asked for and obtained leave to bring in a bill entitled, "An act making appropriation to St. Lawrence Academy, to discharge a mortgage held by the State, on said Academy's buildings," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on colleges, academies, and common schools.

Mr. Elderkin gave notice that he would at some early day introduce a bill to amend an act to incorporate the village of Canton, passed May 13, 1845.

On motion of Mr. Robinson,

Resolved, That the bill in relation to taxes on incorporated companies, which was referred to the committee on grievances, be taken from that committee, and referred to the select committee on that subject.

On motion of Mr. J. L. Perry,

Resolved, That the petition and other papers relating to the claim of Wm. Sternbergh, be taken from the files of this House, and referred to the committee on claims.

On motion of Mr. Underwood,

The House proceeded to the consideration of the resolutions heretofore offered by him, in the words following, to wit :

Resolved, (If the Senate concur,) That the Senators and Representatives from the State of New-York, now in Congress assembled, be and they are respectively hereby earnestly and respectfully requested to use their early and efficient efforts to procure, during the present session of Congress, the passage of a law reducing the postage upon prepaid letters to two cents, and upon unpaid letters to three cents, for any distance. And the said Senators and Representatives are hereby further in like manner requested to procure the passage of a law, at this session of Congress, allowing all newspapers received by actual subscribers within the county of their publication, or within the distance of forty miles from the place of publication, to be sent and so received by mail free of any charge for postage.

Resolved, (If the Senate concur,) That the Governor of the State of New-York be requested to transmit to each of our Senators and Representatives in Congress a copy of the above resolution.

Mr. Noble moved to amend by striking out the second clause of the first resolution, and inserting the following words, " That all newspapers published in any State be sent free of postage to all subscribers within such State."

Mr. Varnum moved to amend the amendment, by striking out all after "distance," and insert, "and also to reduce the postage on newspapers in proportion to the distance to be sent."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Varnum, to amend, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Noble, to amend, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the adoption of said resolutions, and it was determined in the affirmative.

Mr. Townsend offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the Clerk be authorised to procure for the use of the judiciary committee, seven copies of the 3d edition of the Revised Statutes, and pay for the same out of the contingent fund of the House ; that the same be marked for the use of the judiciary committee, and retained in the library.

Ordered, That said resolution be laid upon the table.

Mr. Elderkin offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the Clerk be directed to procure ten times the

usual number of diagrams of the Assembly Chamber, of the same style as those executed by J. E. Gavit.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Leave of absence was granted to Mr. L. Harris, for four days.

In pursuance of previous notice, Mr. Pool asked for and obtained leave to bring in a bill entitled, "An act to change the name of Hamilton Van Brocklin to Hamilton Brooks," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Cady asked for and obtained leave to bring in a bill entitled, "An act relative to the sheriff of the county of Kings," which was read the first time and by unanimous consent was also read a second time, and referred to a select committee consisting of the Kings county delegation.

Mr. Le Roy gave notice that he would hereafter, ask leave to introduce a bill entitled, "An act to appropriate such sum as shall be necessary to refund to the towns of Clay and Schroeppe the balance due said towns for the expense incurred in constructing a draw in the bridge over Oneida river at Oak Orchard, by chapter 267, Laws of 1850."

Mr. Le Roy gave notice that he would, at an early day, ask leave to bring in a bill entitled, "An act to amend sec. 30 of the code of procedure, defining the jurisdiction of county courts."

On motion of Mr. Le Roy,

Resolved, That the petition and papers on the files of this House, relating to the claim of Theodore D. Barton, be taken therefrom, and referred to the committee on claims.

Mr. Sherman gave notice that he would, at an early day, ask leave to bring in a bill granting power to the supervisors of the towns of Poughkeepsie and Fishkill to borrow money to build a bridge over the Wappinger's creek.

Mr. Varnum gave notice that he would, at an early day, ask leave to introduce a bill to amend section 459 of the code of procedure, so as more effectually to provide for a review or rehearing of judgments or decrees heretofore or hereafter entered.

Mr. Varnum gave notice of his intention, at an early day, to ask leave to introduce a bill to confirm certain titles to real estate sold by the East River insurance company.

Mr. W. F. Russell gave notice that he would, at an early day, ask leave to introduce a bill for the election of town auditors of town accounts, to be elected at the regular annual town meetings.

In pursuance of previous notice, Mr. A. A. Thompson asked for and obtained leave to introduce a bill entitled, "An act to authorise the formation of corporations for building purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. A. A. Thompson offered for the consideration of the House, resolutions, in the words following, to wit:

Resolved, (If the Senate concur,) That we revere the wisdom and

patriotism of our ancestors, which framed the union of the States under the federal Constitution; that we attribute our power, dignity, and prosperity as a nation, the full possession and enjoyment of civil and religious liberty, the security of property, and the means of moral and intellectual elevation, which are the birthright of every citizen, and all the magnificent results of our growth as a people, to the Union, under the Constitution; that the maintenance and extension of these great blessings during the present generation, and their transmission to posterity, are secure only by a faithful adherence to the Union, and implicit obedience to the Constitution.

Resolved, (If the Senate concur,) That the fabric of our general government was the product of reciprocal concession among the conflicting interests of different sections of the country, of mutual respect for the diversities of opinion which prevailed among the citizens, and of sincere affection, begotten by their common origin, and the common perils, toils and sacrifices through which their common liberties had been won; and that the general government can be sustained and perpetuated only upon the same basis of concession, respect, and affection.

Resolved, (If the Senate concur,) That we cordially approve of the recent measures of Congress, for the adjustment of the dangerous questions arising out of the acquisition of territory, under the treaty with Mexico, and that in consideration of the various and discordant interests to be affected thereby, we hold that the compromise is a fair one, and ought to be sustained by every patriot in every part of the land.

Resolved, (If the Senate concur,) That the fugitive slave bill is in accordance with the express stipulations of the Constitution of the United States, as carried out by the act of Congress, of 1793, signed by Washington, and in force at the time when the present law was passed; and that Congress in passing a law which should be efficient for carrying out the stipulations of the Constitution, acted in full accordance with the letter and spirit of that instrument, and that we will sustain this law, and the execution of the same by all lawful means.

Resolved, (If the Senate concur,) That the further agitation of the slave question, would, in the opinion of the people of this State, be dangerous to the existence of the Union.

Resolved, (If the Senate concur,) That the Executive be requested to transmit a copy of these resolutions to each of the Senators and Representatives in Congress, from this State.

Ordered, That said resolutions be laid upon the table.

Mr. A. A. Thompson moved to print.

Mr. J. Benedict moved that the motion to print be referred to the committee on printing.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. J. Benedict, and it was determined in the affirmative.

Mr. Underwood gave notice that he would, at an early day, ask

leave to introduce a bill to amend the charter of the Mutual life insurance company of New-York.

In pursuance of previous notice, Mr. Underwood asked for and obtained leave to introduce a bill entitled, "An act to amend an act to exempt from sale on execution the homestead of a householder having a family," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. J. Benedict,

Resolved, That the petition and accompanying papers of Messrs. Hinman and Barnes for relief on account of canal damages, be taken from the files of this House and referred to the committee on claims.

Mr. J. Benedict gave notice that he would, at an early day, ask leave to introduce a bill regulating the appraisal of church pews.

Mr. J. Benedict gave notice that he would, at an early day, ask leave to introduce a bill to amend the act requiring compensation for causing death by wrongful act, neglect or default, passed April 7, 1849.

Mr. Ferris gave notice that he would, at an early day, ask leave to bring in a bill to fix the salary of the district attorney of the county of Tompkins, and to repeal the first section of the act entitled, "An act concerning the district attorney of Tompkins county, passed March 30, 1840."

Mr. A. A. Thompson gave notice that he would, at some future day, ask leave to introduce a bill to amend an act entitled, "An act in relation to fees of sheriffs in certain cases, and to the return by them of executions by mail," so far as the same relates to the sheriff of the city and county of New-York.

Mr. Campbell gave notice that he would, at an early day, ask leave to introduce a bill making the city of New-York the capital of the State.

Mr. Baker gave notice that he would, at some future day, ask leave to introduce a bill to straighten and widen Bushwick creek and build a canal in the county of Kings.

Mr. Maurice gave notice that he would, at an early day, ask leave to introduce a bill to establish and regulate public schools within this State.

On motion of Mr. W. S. Gregory,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the bill for the relief of the volunteers attached to the first New-York regiment be referred to a select committee of five, who shall be empowered to proceed to New-York for the purpose of collecting information to lay before the House.

Mr. Wheeler moved to amend said resolution by striking out all after the word five.

Mr. Speaker put the question whether the House would agree to the said amendment, and it was determined in the affirmative.

Mr. O. Allen moved to amend by adding the following words :

"the chairman of which shall be empowered to proceed to New-York for the purpose of collecting information to lay before the House."

Mr. Speaker put the question whether the House would agree to the said amendment, and it was determined in the negative.

{ AYES 45 }
{ NOES 74 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

O. Allen	Briggs	Fitzhugh	Maurice	E. T. Smith
Anthon	Cady	Gilbert	Miles	Swords
R. Babcock	Campbell	Gleason	Pardee	Speaker
Backhouse	Chamberlin	W. S. Gregory	J. L. Perry	A. A. Thompson
Belknap	G. Clark	Greene	Robinson	O. C. Thompson
T. H. Benedict	Dewey	Heath	Rowe	Townsend
Bishop	Ferris	Langdon	W. Russell	Underwood
Blackstone	Feller	Lyon	Ryan	Varnum
Bottum	Fisk	Macomber	Shultes	Wakeman 45

Those who voted in the negative are,

J. W. Babcock	Davis	Hewit	Minier	Snell
Baker	Dennison	Higby	Moss	Southwick
Barnes	Douglass	Hinds	Nelson	Stevens
J. Benedict	Doyle	Hoppin	Noble	Stewart
Bird	Elderkin	Humphrey	Pool	Stilwell
Bowne	Ellwood	Ingersoll	Rider	Stratton
Bradley	Ely	Jayne	Rockwell	Tuthill
Brayton	Farr	Kinsley	Rouse	Ward
Burroughs	Fordyce	Kellogg	Rumsey	Welden
Bushnell	French	Lake	W. F. Russell	Wheeler
Carrington	Graham	Lawyer	Severance	Whiteside
J. F. Clark	A. A. Gregory	Le Roy	Shall	Wooster
Colvin	H. Harris	Lesley	Sherman	Wright
Congdon	L. Harris	Lewis	Sickles	Yeomans
Corser	Hatch	McLouth	A. Smith	74

Pending the consideration of the resolution,

On motion of Mr. Tuthill,

The House adjourned.

WEDNESDAY, JANUARY 15, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Howard.

The minutes of yesterday were read and approved.

Mr. Bottum presented the petition of Jacob Sax, for himself and two sons, to be allowed the pre-emption of certain improvements, and to purchase 50 acres of a piece of the State's land, so as to include said improvements, which was read and referred to the committee on grievances.

Mr. H. Harris presented the petition of James McCabe, for payment of damages, caused by the breaking of a weigh lock, which was read and referred to the committee on claims.

Mr. Bottum presented the petition of 132 citizens of Wolcott, Wayne county, for the re-charter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. Stevens presented the petition of 176 inhabitants of the county of Onondaga, for a law reducing the fare on railroads in this State to two cents per mile, which was read and referred to the committee on railroads.

Mr. Stevens presented the petition of the bail of Cornelius M. Brosnan, late county treasurer of the county of Onondaga, for relief, which was read and referred to the committee on the judiciary.

Mr. Coffin presented the petition of 16 free colored citizens and electors of the county of Albany, for an act to protect them from arrest and removal beyond the jurisdiction of this State, under the fugitive slave law, which was read and referred to the committee on the judiciary.

Mr. Minier presented the petition of the board of supervisors of Chemung co., for the repeal of the law authorising the recording of births, marriages and deaths, which was read and referred to the committee on the judiciary.

Mr. Kinsley presented six several petitions of the inhabitants of the towns of Windham, and Conesville, for the erection of a new county, from parts of Greene, Delaware, and Schoharie, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Varnum presented the petition of Jonathan Hasbrouck, for a resale to him of the property known as Washington's Head Quarters, at Newburgh, which was read and referred to the committee on public lands.

Mr. Elderkin presented the petition of sundry inhabitants of the town of Edwards, St. Lawrence county, for the repeal, modification, or amendment of the militia law, which was read and referred to the committee on militia and public defence.

Mr. Yeomans presented four petitions of citizens of Wayne co., for a division of said county, which were read and referred to the committee on the erection and division of towns and counties.

Mr. J. Benedict presented the petition of the education and missionary board of the Protestant Episcopal church, in western New-York, to remit taxes on a certain lot, which was read and referred to the committee on charitable and religious societies.

Mr. Maurice presented the petition of inhabitants of Jamaica, for the passage of an act to authorise the town of Jamaica, in Queens county, to sell a part of the common lands of that town, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Wakeman presented the petition of the general society of mechanics and traders of the city of New-York, for an appropriation, which was read and referred to the committee on ways and means.

Mr. Varnum presented the petition of the mutual life insurance company, of the city of New-York, for an amendment to their charter, which was read and referred to the committee on banks and insurance companies.

Mr. J. Benedict presented the petition and resolutions of the board of supervisors of Oneida co, for the passage of a law to tax the property of clergymen, and for other purposes, which was read and referred to the committee on the judiciary.

Mr. Ingersoll presented two petitions of the Bainbridge and Lanesboro steam navigation company, for an act of incorporation, which was read and referred to the committee on the judiciary.

Mr. Swords presented the petition of sundry inhabitants of the city of New-York, for an act to incorporate the Protestant Episcopal mutual benefit society, which was read and referred to the committee on charitable and religious societies.

Mr. Severance, from the committee on claims, to which was referred the petition of Josiah S. Kellogg, executor of Jacob Kellogg, for canal damages, reported in writing, and asked and obtained leave to bring in a bill entitled, "An act to provide for the appraisal and payment of canal damages to Josiah S. Kellogg, executor of Jacob Kellogg, deceased," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to authorise the election of three trustees and a district clerk in school district No. 16, located in the village of Delhi," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act in relation to the auditing of town and county charges," reported that the committee had examined the said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend an act to provide for the incorporation of villages and to confirm the official acts of certain officers," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend art. 1st, title 1st, chap. 8th, part 2nd, of the Revised Statutes, entitled, 'Of marriage and the solemnization and the proofs thereof,' and to repeal the act entitled, 'An act providing for the registry of births, marriages and deaths,' re-

ported that the committee had examined said bill, and had come to the conclusion that the same ought not to be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of the supervisors of Kings co., to amend the charter of the city of Brooklyn, asked to be discharged from the further consideration of the said petition, and that the same be referred to a select committee, which report was agreed to.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of the members of the bar of Tompkins co., in relation to the salary of the district attorney in that county, reported adversely, and asked to be discharged from the further consideration of the same, which report was agreed to.

Mr. Townsend, from the committee on the judiciary, to which was referred the petitions of the board of supervisors of Saratoga and Westchester counties, in relation to assessments, asked to be discharged from the further consideration of said petitions, and that the same be referred to the select committee on that subject, which report was agreed to.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of the board of supervisors of the county of Jefferson, in relation to town officers, and also the petition of the supervisors of Oswego co., for the repeal of the law exempting clergymen from taxation, asked to be discharged from the further consideration of said petitions, which report was agreed to.

Mr. Wakeman from the committee on commerce and navigation, to which was referred the bill entitled, "An act to extend the operation and effect of the act passed February 17, 1848, entitled, 'An act to authorise the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Ward, from the committee on charitable and religious societies, to which was referred the petition of the life saving benevolent association of New-York, reported, and asked and obtained leave to bring in a bill entitled, "An act to amend an act to incorporate the life saving benevolent association of New-York," which was read the first time and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the petition of the inhabitants of Sullivan co. for an academy at Monticello, reported, and asked and obtained leave to bring in a bill entitled, "An act to incorporate the Monticello academy," which was read the first time and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Severance, from the committee on claims, to which was referred the petition of Horace Dodge and others for relief, asked to be discharged from the further consideration of said petition, and that the same be referred to the committee on canals, which report was agreed to.

Mr. E. T. Smith, from the select committee, to which was referred the petition of the Shinecock Indians for an appropriation for a common school, reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of the Shinecock tribe of Indians," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

In pursuance of previous notice, Mr. Burroughs asked for and obtained leave to bring in a bill entitled, "An act to provide for the incorporation of building societies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Underwood asked for and obtained leave to introduce a bill entitled, "An act to amend the charter of the mutual life insurance company, of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

In pursuance of previous notice, Mr. Elderkin asked for and obtain leave to bring in a bill entitled, "An act to amend 'An act to incorporate the village of Canton,' passed May 13, 1845," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A message was received from the Senate, informing the Assembly, that that body had concurred in the joint resolution, adopted by the House on the 8th inst., and announcing that Senators Babcock, Mann, and Brandreth, were appointed on the part of the Senate, a committee, on the joint rules of the Senate and Assembly.

Mr. Elderkin offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the resolution adopted by this House on Thursday last, instructing the Clerk with regard to the kind of diagram to be furnished for the use of the House be, and the same is hereby rescinded.

Ordered, That said resolution be laid upon the table.

On motion of Mr. Townsend,

The House proceeded to the consideration of the resolutions heretofore offered by him, in the words following, to wit :

Resolved, That the Clerk be authorised to procure for the use of the judiciary committee, seven copies of the 3d edition of the Revised Statutes, and pay for the same out of the contingent fund of the House ; that the same be marked for the use of the judiciary committee, and retained in the library.

Mr. Rouse moved to amend by adding the following words :

"And that the Clerk be further authorised to procure eight plows,

for the use of the agricultural committee, to be paid for out of the contingent fund, and that the said plows be marked for the use of the committee on agriculture, and retained in the State agricultural rooms.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. House, to amend, and it was determined in the negative.

Mr. Underwood moved to amend by adding the following words:

"And that the Clerk also furnish to the chairman of each standing committee, a copy of the third edition of the Revised Statutes, for the use of said committee respectively, during this session, and to be returned at the close of the session to the Assembly library.

Mr. Varnum moved to refer the resolution and amendment to the standing committee on printing.

Mr. Burroughs offered the following amendment to the motion of Mr. Varnum, which was accepted by Mr. Varnum, as a part of his amendment:

"*Resolved*, That the committee on the expenditures of the House, be directed to enquire and report to the House whether any additional copies of the third edition of the Revised Statutes are needed for the use of the Assembly, and if so, what number."

Pending the consideration of the resolution, amendment and substitute, the hour of twelve having arrived, Mr. Speaker, in pursuance of the resolution of Monday last, declared the House adjourned.

THURSDAY, JANUARY 16, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Arnold.

The minutes of yesterday were read and approved.

Mr. Perry presented a petition of Richard Wilson, and others, for relief, which was read and referred to the committee on claims.

Mr. Ingersoll presented the petition of inhabitants of the town of New Berlin, Chenango co., for a favorable consideration of the claim of Russell B. Burch, for relief, which was read and referred to the committee on colleges, academies and common schools.

Mr. Snell presented the petition of John C. Phillips, of Fort Plain, for damages sustained by the overflow of the Otsquago creek, on account of obstructions placed therein by the State, while prosecuting the Erie canal enlargement, which was read and referred to the committee on claims.

Mr. Stevens presented the petition of H. W. Van Buren, and 75 others, citizens of Onondaga county, for a law to reduce the fare on the railroads in this State, to two cents per mile, which was read and referred to a select committee.

Mr. Maurice presented a petition for the repeal of the free

school law, which was read and referred to the committee on colleges, academies, and common schools.

Mr. E. T. Smith presented the petition of inhabitants of Suffolk, for the repeal of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Carrington presented the petition of the inhabitants of Urbana, county of Steuben, for the repeal of the present free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Noble presented the petition of supervisors of Warren county, and of the inhabitants of Warren and Saratoga counties, for an amendment of the law in relation to the taxation of dogs, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Farr presented the petition of 75 persons of the town of Fort Ann, Washington co., for an alteration of the license law, which was read and referred to the select committee on that subject.

Mr. Yeomans presented the petition of the trustees and citizens of union school district number one, of Palmyra, for a share in the literature fund, for their classical scholars, which was read and referred to the committee on colleges, academies and common schools.

Mr. Baker presented the memorial of Lewis Masquerier, and others, for land reform, which was read and referred to the committee on public lands.

Mr. H. Harris presented the petition of inhabitants of the county of Monroe, for an amendment of the general plank road law, which was read and referred to the committee on roads and bridges.

Mr. Kinsley presented the petition of sundry inhabitants of Greene co., for an act to empower notaries public to take affidavits and acknowledgments of deeds, and other instruments, which was read and referred to the committee on the judiciary.

Mr. Varnum presented the memorial of the mayor, aldermen and commonalty of the city of New-York, praying the passage of an act to enable the supervisors of the city and county of New-York, to raise money by tax, which was read and referred to a select committee consisting of the New-York delegation.

Mr. Varnum presented the memorial of the mayor, aldermen, and commonalty of the city of New-York, for the passage of an act to amend section 3 of the charter of said city, prescribing the time for holding meetings of the common council, which was read and referred to a select committee consisting of the New-York delegation.

Mr. Miles presented the petition of sundry citizens of the town of Addison, Steuben co., for the passage of a law making the town of Addison, in said county, a half shire-town, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Bottum presented the petition of John Daw and others for relief, which was read and referred to the committee on grievances.

Mr. Bottum presented the petition of sundry citizens of the town of Lyons, Wayne co., praying that the Sodus canal company may be

allowed to complete their work, which was read and referred to the committee on canals.

Mr. Snell presented the petition of Henry Cronse for relief, which was read and referred to the committee on claims.

Mr. O. Allen presented the petition of the directors of the Attica and Hornellsville railroad company, for an amendment to their charter, which was read and referred to the committee on railroads.

Mr. Severance, from the committee on claims, to which was referred the petition of Wm. Sternburgh, to be allowed compensation for work done on the Genesee Valley canal, over and above the contract price, &c., reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of Wm. Sternburgh," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bird, from the committee on the internal affairs of towns and counties, to which was referred the petition of the supervisors of Onondaga county, for an act relative to the penitentiary of Onondaga co., reported, and asked and obtained leave to bring in a bill entitled, "An act relative to the penitentiary of Onondaga county," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Bird, from the committee on the internal affairs of towns and counties, to which was referred the petition of the owners and occupants of lots 79 and 88, of the 15th township of Scriba, county of Oswego, to be set off to the town of Palermo, asked to be discharged from the further consideration of said petition, and that the petitioners have leave to withdraw the same, which report was agreed to.

Mr. Bird, from the committee on the internal affairs of towns and counties, to which was referred the petition of supervisors of Saratoga county, for a law reducing the number of superintendents of the poor in said county, reported adversely to the prayer of the petitioners, which report was agreed to.

Mr. Townsend from the committee on the judiciary, to which was referred the petition of citizens of the town of Bolton, Warren county, to alter the name of William H. Winter, to that of Henry Winter, reported adversely to the prayer of the petitioners, which report was agreed to.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of citizens of school district number 8, (formerly number 17,) in the town of Pompey, to hold certain real estate, for the purpose of using the same for a burying ground, reported adversely to the prayer of the petitioners, which report was agreed to.

Mr. Lyon from the committee on public lands, to which was referred the petition of sundry citizens, to declare Moose river and its branches a public highway, reported, and asked and obtained leave to bring in a bill entitled, "An act declaring Moose river, with the north and south branches in the State of New-York, a public highway, and regulating the passage of logs and timber down the same," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lyon, from the committee on public lands, to which was referred the petition of sundry inhabitants of the village of Malone, in the county of Franklin, for an act for the improvement of the arsenal green, in said village, reported, and asked and obtained leave to bring in a bill entitled, "An act authorising the inhabitants of the village of Malone, in the county of Franklin, to improve the arsenal green in said village," which was read the first time and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred the bill entitled, "An act to amend an act entitled, 'An act to incorporate the mutual life insurance company of New-York,' passed April 12, 1840," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Pardee, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of Steuben county, that a law be passed making the town of Addison a half shire town in said county, asked to be discharged from the further consideration of the same, and that the said petition be referred to the committee on the internal affairs of towns and counties, which report was agreed to.

Mr. Pardee, from the committee on the erection and division of towns and counties, to which was referred the petition of inhabitants of the town of Schuyler's Falls, for the passage of a law changing the name of said town to Fremont, asked to be discharged from the further consideration of the same, and that said petition be referred to the committee on the internal affairs of towns and counties, which report was agreed to.

Mr. Varnum, from the select committee on joint rules of the Senate and Assembly, and the rules of this House, reported sundry amendments to the rules of this House, and to the joint rules of the Senate and Assembly, which were laid on the table, and ordered to be printed.

Mr. Speaker announced the following select committee on the petitions, memorials, &c., in regard to taxes and assessments and the equalization thereof: Messrs. Wakeman, Le Roy, A. Smith, A. A. Thompson and Moss.

Mr. Stevens presented the annual report of the superintendent of the Onondaga Salt Springs, and moved to print ten times the usual number.

(See Doc. No. 25.)

Mr. Varnum moved to strike out ten and insert five.

Ordered, That the said motions be referred to the committee on printing.

A message from the Senate was received and read, informing that they had concurred in the joint resolutions in relation to postage, with

an amendment striking out all after the word "concur," in the first resolution, and inserting the following words, to wit :

"That it is the judgment of the Legislature of the State of New-York, that the post office laws should be so amended as to reduce the postage on prepaid letters to two cents, and on unprepaid letters to three cents for each letter, weighing not more than half an ounce, for any distance ; and to allow all newspapers to be conveyed by mail, free of postage, within the counties where they are published, to actual subscribers.

Resolved, (If the Assembly concur,) That the Governor be requested to transmit a copy of this resolution to each of our Senators and Representatives in Congress."

On motion of Mr. Underwood,

Ordered, That the House concur in said amendments.

A message from the Senate was received and read, informing that they had passed without amendment, the bill entitled, as follows:

"An act to amend an act entitled, 'An act for increasing the number of justices of the superior court of the city of New-York, and for extending the jurisdiction of that court,' passed March 24, 1849, and the act amending the same, passed April 10, 1849, also to amend title five, of part first, of the code of procedure."

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Townsend,

The House proceeded to the consideration of the resolutions heretofore offered by him, in the words following, to wit :

Resolved, That the Clerk be authorised to procure for the use of the judiciary committee, seven copies of the 3d edition of the Revised Statutes, and pay for the same out of the contingent fund of the House ; that the same be marked for the use of the judiciary committee, and retained in the library.

The question pending being on the amendment of Mr. Underwood offered yesterday, the said amendment was withdrawn by the mover.

Mr. Varnum withdrew his amendment as offered yesterday.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

A message was received from the Senate, requesting the transmission to that body of the papers on file in this House relating to the claim of Oliver Barker.

Mr. Varnum offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the committee on expenditures of the House, be instructed to enquire what amount was paid for the copies of the Revised Statutes ordered by the last House of Assembly, as appears by the vouchers of the Clerk of that House on file in the Comptroller's office, also whether such amount was more or less for each set than the price at which the same have been ordinarily sold in the book-stores ; also, to report for what amount the same work can now be purchased and how many copies there now are belonging to the library of the Assembly.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. O. Allen gave notice of his intention at an early day to ask leave to introduce a bill to prevent the spread of the Canada thistle, in this State.

Mr. O. Allen gave notice of his intention at an early day, to ask leave to bring in a bill further to amend the charter of the Attica and Hornelsville railroad company, passed May 14, 1845.

Mr. O. Allen gave notice of his intention at an early day, to ask leave to bring in a bill to authorise the Buffalo water works company to sell and convey certain real estate, in the village of Black Rock.

On motion of Mr. Wheeler,

Resolved, That the Clerk of the House be authorised to employ some person to arrange the petitions, memorials, and other papers, belonging to the files of this House, and pay for the same out of the contingent fund of the House.

In pursuance of previous notice, Mr. Moss asked for and obtained leave to bring in a bill entitled, "An act authorizing certain records of the county of Erie, to be transcribed and deposited in the clerk's office of the county of Niagara," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

Mr. Townsend gave notice that he would at an early day, ask leave to introduce a bill to incorporate the Pacific savings bank, of the city of New-York, also a bill to provide for exchanging the reports of the court of appeals, for the law reports of other States.

In pursuance of previous notice, Mr. Gleason asked for and obtained leave to bring in a bill entitled, "An act to enlarge the jurisdiction of the county courts," which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Robinson asked for and obtained leave to bring in a bill entitled, "An act to prevent the extra appropriation of the school fund for the support of colleges and academies in this State," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

Mr. Lesley gave notice that he would at an early day, ask leave to introduce a bill to amend the general act in relation to the formation of cemetery associations, so far as the same relates to the cemetery association of Troy.

In pursuance of previous notice, Mr. Le Roy asked for and obtained leave to introduce a bill entitled, "An act to refund the towns of Clay and Schroepfel, the balance due said towns for the expense incurred in constructing a draw in the bridge over Oneida river, at Oak Orchard," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. E. Perry gave notice that he would at some future day, ask

leave to introduce a bill for the amendment of the law for the incorporation of villages, for the village of Cohoes, in the county of Albany.

On motion of Mr. Cady,

Resolved, That one of the members of this House from Kings co., be added to the select committee in relation to taxes.

Ordered, That Mr. Cady be added to said committee.

In pursuance of previous notice, Mr. J. Benedict asked for and obtained leave to introduce a bill entitled, "An act to amend the act passed April 7, 1849, entitled, 'An act requiring compensation for causing death by wrongful act, neglect or default,' passed Dec. 13, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. J. Benedict asked for and obtained leave to introduce a bill entitled, "An act to regulate the appraisal of church pews," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. J. Benedict gave notice that he would at an early day, ask leave to introduce a bill to amend the law authorising the appointment of a State reporter.

Mr. Baker gave notice that he would at an early day, ask leave to bring in a bill in relation to weights and measures.

Mr. Swords gave notice that he would at an early day, ask leave to introduce a bill to incorporate the Protestant Episcopal mutual benefit society, of New-York.

On motion of Mr. Bird,

Resolved, That the papers in relation to the canal or mill race from Niagara Falls to Lewiston, be taken from the files of the last session and referred to the committee having charge of that subject.

On motion of Mr. Bird,

Resolved, That the petition of George Truscott, and the report thereon, be referred back to the committee on the petitions of aliens.

Mr. W. S. Gregory moved to reconsider the vote referring the petition asking for the reduction of fare on railroads, to a select committee.

Mr. Speaker put the question whether the House would agree to the said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the said resolution, and it was determined in the negative.

{ AYES 30 }
{ NOES 84 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Anthon	Campbell	Fisk	Lyon	Southwick
Atwood	Coffin	Hatch	McLouth	Stevens
Baker	Colvin	Hinds	Rider	Stewart
Balknap	Congdon	Kinsley	Robinson	Stratton

Bowne	Dennison	Le Roy	W. F. Russell	Underwood	
Burroughs	Elderkin	Lewis	Shall	Wooster	20

Those who voted in the negative are,

O. Allen	Corser	W. S. Gregory	Minier	Sickles	
R. Babcock	Davis	Greene	Moss	A. Smith	
Barnes	Dewey	Hewit	Nelson	E. T. Smith	
J. Benedict	Douglass	Higby	Noble	Snell	
T. H. Benedict	Doyle	Hoppin	Pardee	Swords	
Bird	Ellwood	Humphrey	E. Perry	Speaker	
Bishop	Ely	Ingersoll	J. L. Perry	A. A. Thompson	
Blackstone	Farr	Jayne	Pool	O. C. Thompson	
Bottum	Ferris	Kellogg	Rockwell	Townsend	
Bradley	Feller	Lake	Rouse	Tuthill	
Brayton	Fitzhugh	Langdon	Rowe	Varnum	
Briggs	Fordyce	Lawyer	Rumsey	Wakeman	
Bushnell	French	Leggett	W. Russell	Ward	
Cady	Gilbert	Lesley	Ryan	Welden	
Carrington	Gleason	Macomber	Severance	Wheeler	
G. Clark	Graham	Maurice	Sherman	Whiteside	
J. F. Clark	A. A. Gregory	Miles	Shultes		84

On motion of Mr. Burroughs,

Resolved, That the memorials and other papers, on the files of this House, relating to the claims of Grant, Turner and Ryan for canal damages, be taken from the files and referred to the committee on canals.

Mr. Lyon gave notice that he would, at an early day, ask leave to introduce a bill to amend the charter of the Sackett's Harbor and Saratoga railroad company.

On motion of Mr. Anthon,

The House proceeded to the consideration of the resolutions heretofore offered by him, in the words following, to wit :

Resolved, (If the Senate concur,) That in the struggle that resulted in our independence, as a nation; amid the embarrassments arising from the imperfection and weaknesses of the old confederation, and in the calm wisdom that framed and secured the adoption of the present constitution of our country, we recognize the guidance of a merciful, benign, and overruling Providence.

Resolved, (If the Senate concur,) That we regard the union of these States, under the Constitution of the United States, as the source of the innumerable blessings of the past, and of all our hopes for the future, and that every motive of grateful recollection, and confident anticipation prompts us to maintain that Union, and that Constitution.

Resolved, (If the Senate concur,) That with the fidelity which honor and necessity demand, we will observe and fulfill the "explicit and solemn compact," to which the convention of 1788, in the name of the people of this State, gave their ratification and assent; and while we enjoy the privileges it confers, we will never seek to avoid the duties it imposes.

Resolved, (If the Senate concur,) That the blessings of liberty to ourselves, and our posterity, can only be perpetuated by a strict observance of all the provisions of the Constitution, and by cultivating

that spirit of kindness, conciliation and concession in which the sacred compact had its origin.

Resolved, (If the Senate concur,) That we hail with joy the apparent prevalence of better and more fraternal feelings between patriotic citizens of the Southern and Northern States; that the attitude of the Executive and Legislative departments of the general government, upon the subject of the Union, is characterized by elevated purpose, and statesmanlike forecast; and that we will firmly stand by and maintain the compromise measures of the last session of Congress, regarding them as, on the whole, not merely wise and patriotic, but essential to the union and prosperity, peace and progress of this great confederacy.

Resolved, (If the Senate concur,) That the Governor be requested to transmit a copy of the foregoing resolutions, to each of the Senators and Representatives of this State in Congress.

Mr. Anthon offered for the consideration of the House, a resolution, in the words following, to wit:

Resolved, That the series of joint resolutions by him offered on Tuesday last, (14th inst,) be referred to a committee on federal relations, to be appointed by the Speaker.

Mr. J. Benedict moved that said resolutions be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. J. Benedict, and it was determined in the affirmative.

{ AYES 70 }
{ NOES 49 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

O. Allen	Colvin	H. Harris	Miles	Southwick
Baker	Congdon	Heath	Moss	Stevens
Belknap	Corser	Hewit	Nelson	Stratton
J. Benedict	Douglass	Hinds	Pardee	Speaker
T. H. Benedict	Ellwood	Hoppin	E. Perry	Townsend
Bishop	Ely	Humphrey	J. L. Perry	Tuthill
Bottum	Farr	Ingersoll	Rockwell	Underwood
Bradley	Feller	Kellogg	Rouse	Wakeman
Brayton	Fisk	Lake	Rowe	Ward
Briggs	Fordyce	Langdon	Rumsey	Welden
Carrington	Gilbert	Lawyer	Severance	Wheeler
Chamberlin	Gleason	Leggett	Sherman	Whiteside
J. F. Clark	Graham	Lesley	Shultes	Wooster
Coffin	A. A. Gregory	Macomber	A. Smith	Yeomans 70

Those who voted in the negative are,

Anthon	Cady	W. S. Gregory	Maurice	Sickles
Atwood	G. Clark	Greene	Minier	E. T. Smith
R. Babcock	Davis	Hatch	Noble	Snell
Backhouse	Dennison	Higby	Pool	Stewart
Barnes	Dewey	Jayne	Rider	Swords
Bird	Doyle	Kinsley	Robinson	A. A. Thompson
Blackstone	Elderkin	Le Roy	W. Russell	O. C. Thompson

Bowne
Burroughs
Bushnell

Ferris
Fitzhugh
French

Lewis
Lyon
McLouth

W. F. Russell
Ryan
Shall

Varnum
Wright

49

Mr. Underwood offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the Clerk furnish to each of the committees of this House, desiring the same, other than the committees already having a copy thereof, a copy of the third edition of the Revised Statutes, for the use of such committee, to be returned to the library, at the close of the session.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

On motion of Mr. Ingersoll,

Resolved, That the documents and papers on file, relating to the claim of Russel B. Burch, late commissioner of common schools, in New Berlin, in Chenango county, be taken from the files of the House and referred to the standing committee on colleges, academies and common schools.

In pursuance of previous notice, Mr. Southwick asked for and obtained leave to bring in a bill entitled, "An act to regulate the salary of the district attorney of Seneca county," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

Mr. Stevens offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the committee on banks and insurance companies enquire into and report upon the expediency and propriety of allowing the stocks and bonds of certain railroad companies, and the stocks of cities of this State, to be used as the basis of banking.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. Atwood gave notice of his intention, at an early day, to ask leave to bring in a bill to authorise the commissioners of highways in the town of Lancaster, in the county of Erie, to borrow money.

Mr. Atwood gave notice of his intention, at an early day, to ask leave to bring in a bill for reducing the fare on the railroads between Schenectady and Buffalo.

On motion of Mr. Severance,
The House then adjourned.

FRIDAY, JANUARY 17, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Howard.

The minutes of yesterday were read and approved.

Mr. H. Harris presented the petition of Thomas Butler for relief, which was read and referred to the committee on claims.

Mr. Southwick presented the petition of 144 citizens of Seneca Falls, for a law to prohibit the sale of intoxicating drinks, which was read and referred to a select committee.

Mr. J. Benedict presented the petition of Polly Powlis for relief, which was read and referred to the committee on Indian affairs.

Mr. Yeomans presented two petitions of 336 citizens of Wayne co., for a division of said county, which were read and referred to the committee on the erection and division of towns and counties.

Mr. O. Allen presented the petition of the stockholders of the Attica and Hornellsville company, for an amendment to their charter, which was read and referred to the committee on railroads.

Mr. T. H. Benedict presented the petition of Richard Crowther and others to confirm their title in certain lands, which was read and referred to the committee on the judiciary.

Mr. Elderkin presented a petition for an amendment to the plank road law, which was read and referred to the committee on roads and bridges.

Mr. Miles presented four petitions of sundry inhabitants of Steuben co., for the passage of a law making the town of Addison, in said county, a half shire-town, which were read and referred to the committee on the internal affairs of towns and counties.

Mr. Macomber presented the petition of Catharine Leland, for relief, which was read and referred to the committee on grievances.

Mr. Brayton presented the petition of sundry inhabitants of Rome, Oneida co., for the passage of an act incorporating the Oneida county savings bank, which was read and referred to the committee on banks and insurance companies.

Mr. Varnum presented the memorial of the mayor, aldermen and commonalty of the city of New-York, for the passage of an act authorising them to raise money by loan for sundry purposes, which was read and referred to a select committee consisting of the New-York delegation.

Mr. Underwood presented the petition of Laban Hoskins, and 105 other citizens of Springport, Cayuga co., for the passage of a law to prevent the sale of intoxicating liquors, which was read and referred to the select committee on that subject.

Mr. A. Smith presented the petition of A. Hazleton, and others, to make the office of district attorney of Chautauque co., a salaried office, which was read and referred to the committee on the judiciary.

Mr. O. Allen presented two petitions of citizens of Buffalo, for the passage of a general law, authorizing the formation of building associations, which were read and referred to the committee on the judiciary.

Mr. Brayton presented the petition of Matthew Huntington, for arrearage of his award for canal damages.

On motion of Mr. Brayton,

Ordered, That said petition be referred to the Canal Commissioners.

Mr. Burroughs presented the memorial of the commissioners for

the erection and enclosure of the Western house of refuge, for juvenile delinquents, which was read and referred to the committee on state prisons.

Mr. Colvin presented the petition of John W. Sawyer, and 204 others, citizens of Cayuga co., for a law preventing the State of New-York, from becoming a hunting ground for human prey, which was read and referred to the committee on the judiciary.

Mr. Minier presented the petition of supervisors of Chemung co., that the office of district attorney be a salaried office, which was read and referred to the committee on the judiciary.

Mr. Kinsley presented 16 several petitions of the inhabitants of the towns of Prattsville, Ashland, Lexington, Jewet, and Gilboa, in the county of Greene, for the erection of a new county, from parts of Greene, Delaware, and Schoharie, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Moss, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled, "An act authorising certain records of the county of Erie to be transcribed and deposited in the clerk's office of the county of Niagara," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Bird, from the committee on the internal affairs of towns and counties, to which was referred the petition of the inhabitants of the town of Schuyler's Falls, for the passage of a law changing the name of said town to Fremont, reported, and asked and obtained leave to bring in a bill entitled, "An act to change the name of the town of Schuyler's Falls, in the county of Schoharie," which was read the first time and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Bird, from the committee on the internal affairs of towns and counties, to which was referred a petition for an act to authorise the the town of Jamaica, in Queens county, to sell part of the common lands of that town, reported, and asked and obtained leave to bring in a bill entitled, "An act authorising the supervisor and town clerk of the town of Jamaica, Queens co., to sell and convey certain common lands belonging to said town," which was read the first time and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Campbell, from the committee on the internal affairs of towns and counties, to which was referred the petition of the supervisors of the county of Warren, and of inhabitants of Warren and Saratoga counties, for an amendment of the law in relation to the taxation of dogs, reported adversely in writing, and offered for the consideration of the House a resolution in the words following, to wit :

Resolved, That the prayer of the petitioners ought not to be granted.

(See Doc. No. 4.)

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Lesley, from the committee on roads and bridges, to which were referred the petitions, remonstrances and other papers from inhabitants of the town of Groton, county of Tompkins, relative to the discontinuance of a certain highway unopened in said town, reported adversely to the prayer of the petitioners, which report was agreed to.

Mr. Lesley, from the committee on roads and bridges, to which was referred the petition of sundry inhabitants of the town of Nelson for the laying out of a road in said town, reported that it was not a proper subject for their consideration, and recommended that the same be referred to the committee on canals, which report was agreed to.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to confirm the title of George Webber to real estate conveyed to him by James Chappell," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act in relation to the duties of superintendents of the poor," reported that the committee had examined the said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which were referred two petitions of the inhabitants of Bainbridge of the Bainbridge and Lanesboro' steam navigation co., for an act of incorporation of said company with a capital of \$20,000, asked to be discharged from the further consideration of said petitions, and that the same be referred to the committee on commerce and navigation, which report was agreed to.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of the board of supervisors of Chemung co., for the repeal of the law authorising the recording of births, marriages and deaths, asked to be discharged from the further consideration of the same, which report was agreed to.

Mr. Ward, from the committee on charitable and religious societies, to which was referred the petition of the board of supervisors of the county of Columbia, for the passage of a law authorising the county treasurer to pay out of the contingent fund of said county \$100 for the benefit of the Hudson orphan relief asylum, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the payment of money by the county of Columbia to the Hudson orphan relief asylum," which was read the first time and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Ward, from the committee on charitable and religious socie-

ties, to which was referred the petition of the education and missionary board of the diocese of Western N. Y., for the remission of a certain tax, reported adversely to the prayer of the petitioners, which report was agreed to.

Mr. Atwood, from the committee on expenditures, to which was referred the resolution to pay postage and express charges on documents, reported adverse to the passage of said resolution, which report was agreed to.

Mr. Severance, from the select committee, to which were referred the petitions for reducing the fees of the county clerk of Erie county, and for the repeal of the law making said office a salaried office, reported, and asked and obtained leave to bring in a bill entitled, "An act to reduce the fees of the clerk of Erie county, and to repeal the law making the office of said clerk a salaried office," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of the Erie co. delegation to report complete.

Mr. Speaker laid before the House a communication from the Canal Board, in answer to a resolution adopted in Assembly March 1, 1850, in regard to the petition of Maria Miller for relief, which was referred to the committee on canals and ordered printed.

Mr. Speaker announced as the select committee on the subject of providing for the representation of the State of New-York in the World's industrial exhibition at London: Messrs. Fitzhugh, Lyon, Swords, Cooke and Snell: and as the select committee on the petitions to abolish the penalty of death: Messrs. Baker, Babcock Rowe, Yeomans and Stratton.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act for the repeal of the charter of the Croton turnpike company," which was read the first time and by unanimous consent was also read a second time, and referred to a select committee consisting of the Westchester and Putnam co. delegations to report complete.

Mr. Elderkin gave notice that he would at an early day ask leave to introduce a bill to amend the act to incorporate companies to construct plank roads and turnpike roads.

Mr. Elderkin offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the Clerk be directed to furnish each of the officers of this House, with a copy of the debates of the constitutional convention of 1846, and that the same be paid for out of the contingent fund.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

In pursuance of previous notice, Mr. O. Allen asked for and obtained leave to bring in a bill entitled, "An act to authorise the Buffalo water works company, to convey certain lands in the county of Erie," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the Erie delegation.

In pursuance of previous notice, Mr. Lesley asked for and obtain-

ed leave to bring in a bill entitled, "An act in relation to the Tróy cemetery association," which was read the first time and by unanimous consent was also read a second time and referred to the committee on charitable and religious societies.

Mr. Bird gave notice that he would at some future day, ask leave to introduce a bill in relation to the Buffalo and Niagara Falls, and the Lewiston railroad companies.

In pursuance of previous notice, Mr. O. Allen asked for and obtained leave to introduce a bill entitled, "An act further to amend the charter of the Attica and Hornelsville railroad company, passed May 14, 1845," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Townsend asked for and obtained leave to introduce a bill entitled, "An act to provide for exchanging the reports of the court of appeals, for the law reports of other States," which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Baker asked for and obtained leave to bring in a bill entitled, "An act in relation to weights and measures," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Elderkin,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the Clerk be directed to procure ten times the usual number of diagrams of the Assembly Chamber, of the same style as those executed by J. E. Gavit.

Mr. Elderkin moved to amend the resolution, by striking out "10 times the usual number of," and inserting "2000."

Mr. Burroughs moved to amend the amendment, by striking out "2000," and inserting "1000."

Mr. Heath moved to amend the resolution of Mr. Elderkin, by striking out all after the word "resolved," and inserting, "that the Clerk of the Assembly be authorised to purchase of C. S. Merchant, engraver, three Senate, and three Assembly diagrams, for each of the members, officers, and reporters of the House."

Mr. J. Benedict moved to lay the whole subject on the table.

Mr. Speaker put the question whether the House would agree to the said motion, and it was determined in the negative.

Mr. Tuthill moved to refer the whole subject to the committee on expenditures.

Mr. Speaker put the question whether the House would agree to the said motion, and it was determined in the affirmative.

On motion of Mr. Varnum,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the committee on expenditures of the House, be

instructed to enquire what amount was paid for the copies of the Revised Statutes ordered by the last House of Assembly, as appears by the vouchers of the Clerk of that House on file in the Comptroller's office, also whether such amount was more or less for each set than the price at which the same have been ordinarily sold in the book-stores; also, to report for what amount the same work can now be purchased and how many copies there now are belonging to the library of the Assembly:

Mr. Varnum laid before the House the following communication from James R. Rose, late Clerk:

Hon. J. B. Varnum, jr:

I noticed that you are reported in the Argus, as having said in the House, "he understood that the copies (Revised Statutes,) purchased last year, were paid for at rates exceeding the retail price at the book stores." The facts are, and I hope you will do me the justice to say, that the Statutes were purchased last year of Little & Co., the only persons from whom they could be obtained. They were purchased from them the previous year, by P. B. Prindle, Esq. I paid the same price paid by Mr. Prindle, but before paying, I submitted the bill to the Comptroller, and paid it with his approval. The price paid did not exceed the retail price at the bookstores.

Very truly yours,

JAMES R. ROSE.

Mr. Burroughs moved to amend the resolution, by adding the following words: "And that the committee also enquire what price was paid for the copies of the Revised Statutes purchased during the session of 1849."

Mr. Varnum accepted said amendment.

Mr. Speaker put the question whether the House would agree to the said resolution, as amended, and it was determined in the affirmative.

In pursuance of previous notice, Mr. J. Benedict asked for and obtained leave to introduce a bill entitled, "An act to provide for the appointment of the State reporter," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Underwood,

The House proceeded to the consideration of the resolutions heretofore offered by him, in the words following, to wit:

Resolved, That the Clerk furnish to each of the committees of this House, desiring the same, other than the committees already having a copy thereof, a copy of the third edition of the Revised Statutes, for the use of such committee, to be returned to the library, at the close of the session.

Mr. Burroughs moved to amend the resolution by adding the following words: "And that the same be procured from the office of the Secretary of State, of those now on hand."

Mr. Bishop moved to amend the amendment, by adding the following words: "Provided the copies in the Secretary's Office be of the 3d edition."

The amendments being accepted by Mr. Underwood,

Mr. Speaker put the question whether the House would agree to the said resolution as amended, and it was determined in the affirmative.

—In pursuance of previous notice, Mr. Stevens asked for and obtained leave to introduce a bill entitled, "An act to authorise the commissioners of the land office to sell certain lands belonging to the people of this State, situated in the city of Syracuse, and to purchase other lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the manufacture of salt.

In pursuance of previous notice, Mr. E. T. Smith asked for and obtained leave to introduce a bill entitled, "An act to amend article 1, title 2, chapter 13, vol. 1, of the Revised Statutes," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Swords asked for and obtained leave to bring in a bill entitled, "An act to incorporate the N. Y. Protestant Episcopal mutual benefit society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. Higby asked for and obtained leave to bring in a bill entitled, "An act to subject certain debts owing to non-residents to taxation," which was read the first time, and by unanimous consent was also read a second time, and referred to the select committee on taxation.

Mr. Macomber gave notice that he would at an early day, ask leave to introduce a bill for the relief of Catherine Leland.

By unanimous consent,

Mr. Burroughs asked for and obtained leave to bring in a bill entitled, "An act making appropriations for the western house of refuge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on state prisons.

Mr. Dennison gave notice that he would at some future day, ask leave to introduce a bill to change the name of Mary Owen.

In pursuance of previous notice, Mr. Harris asked for and obtained leave to introduce a bill entitled, "An act to revise the act entitled, 'An act to amend title 1, chapter 5, part 3, of the Revised Statutes, relative to the action of ejectment,'" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. H. Harris gave notice that he would at an early day, ask leave to introduce a bill to amend an act relating to sales by auction in the city of Albany.

Mr. H. Harris gave notice that he would at an early day ask leave to introduce a bill in relation to the Albany and Schenectady railroad company.

Mr. H. Harris gave notice that he would at an early day, ask leave to introduce a bill to amend an act for the incorporation of companies to construct plank roads, and turnpike roads.

On motion of Mr. H. Harris,

Resolved, That the petition and papers on the files of this House, in reference to the claim of Patrick Rodgers, for relief, be taken therefrom, and referred to the committee on claims.

On motion of Mr. H. Harris,

Resolved, That the petition and papers on the files of this House, in reference to the claim of John Ross, for relief, be taken therefrom, and referred to the committee on claims.

Mr. A. A. Thompson offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That each of the officers of this House, be furnished with a copy of the debates in the constitutional convention of 1846, and that the Clerk pay for the same out of the contingent fund.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

In pursuance of previous notice, Mr. Rouse asked for and obtained leave to introduce a bill entitled, "An act in relation to plank roads and turnpike roads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. A. A. Thompson offered for the consideration of the House, resolutions, in the words following, to wit :

Resolved, (If the Senate concur,) That the following resolutions, passed by the Legislature of this State on the 14th day of February, 1850, did not at the time of their passage, nor do they now express the opinions and sentiments of the people of the State of New-York:

"*Resolved*, (If the Assembly concur,) That as the federal constitution was formed and adopted expressly to secure the blessings of liberty to the people of the United States and their posterity, therefore the federal government ought to relieve itself from all responsibility for the existence or continuance of slavery or the slave trade wherever it has the constitutional power over those subjects, and our Senators in Congress are hereby instructed, and our Representatives are requested to use their best efforts to procure the passage of laws that will effectually and forever put an end to the slave trade in the District of Columbia.

"*Resolved*, (If the Assembly concur,) That the determination indicated by the governors' messages, and the resolutions of the legislatures of various of the slaveholding states, and by the representatives of such states in Congress, to extend domestic slavery over the territory acquired by the late treaty of peace with the republic of Mexico, we feel bound to oppose by all constitutional means; and recognizing the constitutional power of Congress to prohibit, by positive enactment, the extension of slavery into free territory, our Senators in Congress are hereby instructed, and our Representatives requested to use their best efforts to insert such a positive prohibition into any law they may pass for the government of the territory in question.

"*Resolved*, (If the Assembly concur,) That our Senators in Congress be instructed, and our Representatives requested to resist firmly,

and to the utmost of their ability, and by such positive legislation as may be necessary, the extension of human slavery, or the jurisdiction of Texas over any part of New Mexico.

Resolved, (If the Assembly concur,) That we have learned with great satisfaction that the people of California have adopted a constitution which is entirely in accordance with the spirit of the free institutions of our country; and our Senators in Congress are hereby instructed, and our Representatives requested to aid in the passage of such laws as may be necessary to admit that State into the Union.

Resolved, (If the Assembly concur,) That the people of the State are desirous of preserving inviolate the Federal Union, and that they will strenuously oppose all attempts, from whatever source they may emanate, or under whatever pretence they may be made, to effect its dissolution."

Resolved, (If the Senate concur,) That the people of this State wholly disapprove of the course pursued by the Hon. William H. Seward, in the Senate Chamber, in reference to the recent national compromise measures, including the fugitive slave bill; that we cordially approve of the course pursued (in reference to these measures) by Hon. Lewis Cass, Hon. Daniel Webster, Hon. Henry Clay, Hon. Henry S. Foote, Hon. Daniel S. Dickinson, and the patriotic Senators and Representatives who acted with them; and that the president of the U. S. is entitled to the gratitude of the friends of the Union for his prompt approval of, and his firm determination to execute the same.

Ordered, That said resolutions be laid upon the table.

Mr. E. T. Smith offered for the consideration of the House, resolutions in the words following, to wit:

Resolved, (If the Senate concur,) That we have for a length of time viewed the transactions of Great Britain in Central America with feelings of mortification as American citizens, but refrained from an expression of opinion upon the subject (hoping that our government would command a cessation of their aggressions upon a helpless people calling upon us for aid, as the most powerful republic of the world.)

Resolved, (If the Senate concur,) That we as the representatives of the people of this mighty State, regard these acts on the part of England in direct violation of a proclamation twice issued by two Chief Magistrates of this Union, and also in direct violation of the last treaty between the two nations, that expressly states neither country shall occupy Central America or control its affairs.

Resolved, (If the Senate concur,) That we can never (if these transactions, as they are daily reported, be true,) see our treaty violated, our citizens robbed and thrown into prison, by any power of the earth, or all combined, without taking the strongest and most energetic measures in our power to prevent a re-occurrence of such degrading proceedings to our proud and powerful people, and that we can never consent that the British flag, (that we have twice aided in humbling in the dust,) shall float in triumph over any part of our land.

Resolved, (If the Senate concur,) That our Senators in Congress, also our Representatives, be most respectfully requested to ask for all

the papers in possession of the government, upon Central American affairs, so that we may be enlightened upon this all important subject.

Ordered, That said resolutions be laid upon the table.

On motion of Mr. E. Perry,

Resolved, That the petition and papers in reference to the claim of Henry Rector, for payment for services as architect of the New State Hall, on the files of this House, be taken therefrom, and referred to the committee on claims.

Mr. Fitzhugh gave notice that he would at an early day, ask leave to introduce a bill authorizing the canal commissioners to take for the use of the State, a bridge over the Erie canal, at Court street, in the city of Rochester.

Mr. Fitzhugh gave notice that he would at an early day, ask leave to introduce a bill for the incorporation of Sophia street academy, in the city of Rochester.

Mr. Sherman gave notice that he would at an early day, ask leave to introduce a bill relating to excise.

On motion of Mr. Cooke,

Resolved, That the remonstrances and other papers which were presented to the Assembly of 1850, relating to the erection of a new county, from parts of Delaware, Schoharie and Greene, be taken from the file, and referred to the standing committee on the erection and division of towns and counties.

On motion of Mr. Dennison,

Resolved, That the papers on file in this House, relating to the claim of Henry Shoudy, be taken therefrom, and the same be referred to the committee on claims.

On motion of Mr. Minier,

Resolved, That the papers on file, relative to the claim of Daniel B. Parsons, be taken therefrom, by the Clerk of the House, and referred to the committee on canals.

Mr. Brayton gave notice that he would at a future day, ask leave to introduce a bill authorising the canal appraisers, to ascertain and award damages in certain cases.

Mr. Hewit gave notice that he would at some future day, ask leave to introduce a bill for an act to incorporate a live stock insurance company, to be called the Northern New-York live stock insurance company.

In pursuance of previous notice, Mr. Le Roy asked for and obtained leave to introduce a bill entitled, "An act to amend the code of procedure, in relation to the jurisdiction of county courts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Maurice asked for and obtained leave to bring in a bill entitled, "An act to establish and regulate public schools within this State," which was read the first time and by unanimous consent was also read a second time, and referred to the committee on colleges, academies and common schools.

Ordered, That said bill be printed.

Mr. Varnum offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the House now proceed to consider the report of the joint committee on the joint rules of the Senate and Assembly, and rules of the Assembly.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

On motion of Mr. Stevens,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit:

Resolved, That the committee on banks and insurance companies enquire into and report upon the expediency and propriety of allowing the stocks and bonds of certain railroad companies, and the stocks of cities of this State, to be used as the basis of banking.

Mr. Speaker put the question whether the House would agree to the adoption of said resolution, and it was determined in the affirmative.

In pursuance of previous notice, Mr. Southwick asked for and obtained leave to bring in a bill entitled, "An act to repeal the provisions of the Revised Statutes, in relation to assessment of incorporated companies," which was read the first time and by unanimous consent was also read the second time, and referred to the select committee on that subject.

In pursuance of previous notice, Mr. Noble asked for and obtained leave to bring in a bill entitled, "An act providing for the registry of marriages, births, and deaths, in the several towns and wards," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Le Roy,

The present order of business was suspended, also each subsequent order, till the general orders were reached.

On motion of Mr. Le Roy,

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to provide for the organization and government of the police of the city of Albany ;"

"An act to incorporate the Rome water works company ;"

"An act to repeal an act entitled, 'An act providing for the registry of births, marriages, and deaths ;'"

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Varnum, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same with amendments.

Mr. Elderkin moved to amend the sixth section of the report of the committee, by striking out the words, "shall be appointed by the common council," and insert the words, "shall be elected by the people at their charter election."

Mr. Speaker then put the question whether the House would agree to the said motion, and it was determined in the negative.

{ AYES 70 }
{ NOES 49 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

R. Babcock	Dennison	Kinsley	Robinson	Snell
Barnes	Doyle	Lawyer	Rockwell	Stillwell
Bradley	Elderkin	Le Roy	W. Russell	Stratton
Burroughs	French	Maurice	W. F. Russell	A. A. Thompson
Bushnell	Gleason	Minier	Shall	O. C. Thompson
J. F. Clark	Hatch	E. Perry	Sickles	Wooster
Colvin	Higby	Pool	E. T. Smith	Wright
Congdon	Jayne	Rider		

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Those who voted in the negative are,

O. Allen	Carrington	A. A. Gregory	Macomber	Shultes
Atwood	G. Clark	W. S. Gregory	Miles	A. Smith
Baker	Cooke	Greene	Moss	Southwick
Belknap	Corser	H. Harris	Nelson	Stevens
J. Benedict	Dewey	Heath	Noble	Swords
T. H. Benedict	Douglass	Hinds	Norton	Speaker
Bird	Ely	Kellogg	Pardee	Townsend
Bishop	Farr	Lake	J. L. Perry	Tuthill
Blackstone	Ferris	Langdon	Rouse	Underwood
Bottum	Feller	Leggett	Rowe	Varnum
Brayton	Fisk	Lesley	Rumsey	Ward
Briggs	Fordyce	Lewis	Severance	Welden
Cady	Graham	McLouth	Sherman	Whiteside
Campbell				

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Mr. Elderkin moved to add an additional section, in the words following:

"§ 38. This act shall not take effect until it has been submitted to the legal electors of the city of Albany, at their next annual election, and shall have been approved by them at such election."

Pending which,

On motion of Mr. Burroughs,

The House adjourned.

SATURDAY, JANUARY 18, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Arnold.

The minutes of yesterday were read and approved.

Mr. Stevens presented the petition of citizens of Onondaga co., praying the Legislature to pass a law to reduce the fare on railroads to two cents per mile, which was read and referred to the committee on railroads.

Mr. T. H. Benedict presented the petition of sundry inhabitants of Dobbs' Ferry and Hastings, for the suppression of the traffic in liquor

in this State, which was read and referred to the select committee on that subject.

Mr. Bottum presented the petition of Eli Lundy, collector of taxes in the town of Galen; Wayne co., praying the Legislature to extend the time for the collection of taxes in said town until the first day of March next, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Townsend presented the petition of the East river insurance company, in the city of N. Y., for an amendment of its charter, which was read and referred to the committee on banks and insurance companies.

Mr. Bushnell presented the petition of Alfred Fox and others, of the town of Clayton, in the county of Jefferson, for the passage of a law extending the time for collection of taxes in said town to the 25th day of March next, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Graham presented the memorial of John Greig, praying for the re-charter of the Sodus canal co., which was read and referred to the committee on canals.

Mr. H. Harris presented the petition of the Laborer's accident benevolent relief society of the city of Albany, for a charter, which was read and referred to the committee on charitable and religious societies.

Mr. J. Benedict presented the petition of James Woodward, praying for a law authorising the appraisement of damages on account of widening the Erie canal, which was read and referred to the committee on claims.

Mr. J. Benedict presented the petition of Martin Conner, an alien, for authority to hold real estate, which was read and referred to the committee on the petitions of aliens.

Mr. Cady presented the resolutions of the common council of Brooklyn, in favor of the passage of an act to provide that the term of office of the supervisors elect of that city commence forthwith, which was read and referred to a select committee consisting of the Kings county delegation.

Mr. Noble presented the petition of Thos. J. Strong and Geo. W. Cheney, for the passage of a law authorising the comptroller to audit their account, which was read and referred to the committee on ways and means.

Mr. Lyon presented the petition of citizens of Lewis co., for the amendment of the plank road law, which was read and referred to the committee on roads and bridges.

Mr. O. Allen presented the petition of citizens of Erie co., for permission to improve the channel of Cattaraugus creek, which was read and referred to the committee on commerce and navigation.

Mr. J. Benedict presented the petition of E. Humphrey, for the passage of a law authorising the appraisal of damages in consequence of widening the Erie canal, which was read and referred to the committee on claims.

Mr. J. Benedict presented the petition of John Underwood, for a

seat as a member of this House for the county of Yates, which was read and referred to the committee on privileges and elections.

Mr. Lawyer presented the petition of inhabitants of the town of Seward, Schoharie county, for the passage of a law changing the place of holding the next town meeting in said town, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Stratton presented the petition of inhabitants of Sullivan co., for the location of an academy in Monticello, which was read and referred to the committee of the whole, having charge of that subject.

Mr. Yeomans presented five petitions of citizens of Wayne county, for a division of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Southwick presented the petition of the collector of the town of Waterloo, for extension of time to collect taxes in said town, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Stillwell presented the petition of S. F. Judd, and 69 others, inhabitants of the county of St. Lawrence, asking for an amendment of the present militia law, which was read and referred to the committee on militia and public defence.

Mr. O. Allen presented the petition of citizens of Attica, for an amendment of the Attica and Hornellsville railroad company charter, which was read and referred to the committee on railroads.

Mr. Bottum presented the petition of 209 citizens of Sodus, Wayne county, for the re-charter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. O. Allen presented the petition of stockholders of the Attica and Hornellsville railroad company, for an amendment to their charter, which was read and referred to the committee on railroads.

Mr. Briggs presented the resolution of the New-York State Agricultural Society, for the appointment of an agent to the industrial exhibition, in London, which was read and read and referred to the select committee on that subject.

Mr. Varnum, from the select committee to which was referred the memorial of the mayor, aldermen, and commonalty of the city of New-York, for an amendment of the charter of that city, reported adversely, and asked to be discharged from the further consideration of the same, which report was agreed to.

Mr. Varnum, from the select committee to which was referred the memorial of the mayor, aldermen, and commonalty of the city of New-York, for an act to enable the supervisors of the city and county of New-York, to raise money by tax, reported, and asked and obtained leave to bring in a bill entitled, "An act to enable the supervisors of the city and county of New-York, to raise money by tax," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Varnum, from the committee on railroads, to which was referred the bill entitled, "An act authorising railroad companies in this State to take and hold stock in any telegraph company, for the pur-

pose of aiding in the construction of a telegraph line along the line of their roads," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Varnum, from the committee on railroads, to which was referred the bill entitled, "An act authorising certain railroad companies in this State, to change the time for the election of directors," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Severance, from the committee on claims, to which was referred the petition of James McCabe, for relief, reported in writing, and asked and obtained leave to bring in a bill entitled, "An act to provide for the appraisal and payment of damages incurred by him in consequence of the loss of the canal boat R. P. Hunt, by the breaking of the weigh lock in the city of Albany," which was read the first time and by unanimous consent was also read the second time, and committed to the committee of the whole.

(*See Doc. No. 15.*)

Mr. Lyon from the committee on public lands, to which was referred the petition of S. B. Ludlow, praying that a small strip of land in the city of Oswego be attached to lands heretofore purchased by him, on his paying therefor, asked to be discharged from the further consideration of the same, and offered for the consideration of the House, the following resolution, to wit:

Resolved, That the petition of S. B. Ludlow, be referred to the Commissioners of the Land Office, and that they be requested to report their opinion thereon.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred the petition of James S. Lynch and others, praying for the passage of an act to incorporate the Cental City savings institution, and also a bill entitled, "An act to incorporate the Central City savings institution," reported in favor of the passage of said bill, and asked to be discharged from the further consideration of the petition.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred the bill entitled, "An act to incorporate the Niagara county savings bank," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Underwood, from the committee on banks and insurance com-

panies, to which was referred the bill entitled, "An act to incorporate the New-York savings bank," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Underwood, from the committee on banks and insurance companies, reported for the consideration of the House, the following resolution:

Resolved, That in the judgment of this House, the objects of the corporations known as "Savings Banks," cannot be attained under a general law.

On motion of Mr. Lesley,

Ordered, That said resolution be referred to the committee on the judiciary.

Mr. Macomber, from the committee on state prisons, to which was referred the memorial of the commissioners of the Western house of refuge, asked to be discharged from the further consideration of the said petition, and that the same be referred to the committee on ways and means, which report was agreed to.

Mr. Cady, from the select committee to which was referred the petition of supervisors of Kings co., to continue in office the supervisors from the city of Brooklyn, asked and obtained leave to bring in a bill entitled, "An act in relation to the supervisors from the city of Brooklyn, county of Kings," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. O. Allen, from the select committee, to which was referred the bill entitled, "An act to authorise the Buffalo water works company to convey certain lands in the county of Erie," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Briggs, from the select committee, to which was referred the bill from the Senate entitled, "An act for the repeal of the charter of the Croton turnpike company," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be read the third time.

On motion of Mr. Varnum,

The House proceeded to the consideration of the report of the committee on joint rules of the Senate and Assembly, and the rules of the Assembly.

On motion of Mr. Burroughs,

The House resolved itself into a committee of the whole on said report, and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Severance, from said committee, reported that the com-

mittee had gone through said report, made sundry amendments thereto, and as amended recommended its adoption by the House.

Mr. Le Roy moved to amend the report of the committee of the whole by restoring the following amendment: insert the following as a new rule after the 32d rule :

“ 33. The titles of all bills introduced into the House for repealing, modifying, or amending any existing law, shall state concisely the subject matter sought to be so amended, modified, or repealed.”

Change the numbers of the other rules to correspond.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Le Roy, to amend, and it was determined in the affirmative.

Mr. Varnum moved to restore the following amendment, after the eleventh joint rule insert the following : “ nor to bills for consolidating two corporations into one.”

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Varnum, to amend, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the report of the committee of the whole, as amended, and it was determined in the affirmative.

Mr. Robinson moved to adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Robinson, and it was determined in the negative.

The annual statement of the East River savings institution of the city of New-York was received, and referred to the committee on banks and insurance companies.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows :

“An act authorising the supervisors of the county of Kings to create a loan for the erection of a penitentiary, and for the purchase of land and the erection of a new lunatic asylum,” which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the Kings county delegation.

“An act granting to Philip A. Strong the right of establishing a ferry across the Chautauque Lake,” which was read the first time and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

Mr. T. H. Benedict gave notice that he would, at an early day, ask leave to bring in a bill for the erection of a monument in memory of the captors of Major Andre, in the town of Greenburgh, Westchester co.

On motion of Mr. O. Allen,

Resolved, That an additional member be added to the select committee on the assessment and equalization of taxes, thereby increasing it to seven.

On motion of Mr. Mimier,

Resolved, That a respectful message be transmitted to the Senate,

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asking for the papers respecting the claim of Daniel B. Parsons, and that when such papers are received they be referred to the committee on canals.

Mr. Fisk gave notice that he would, at an early day, ask leave to introduce a bill to extend the time for the collection of taxes in the town of Byron, Genesee county.

On motion of Mr. Burroughs,

Resolved, That the report of the Canal Board, relating to the claim of Mrs. Maria Miller, for canal damages, be referred to the Attorney General for his opinion thereon.

Mr. Baker gave notice that he would, at an early day, ask leave to introduce a bill to abolish capital punishment.

Mr. Burroughs offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the Canal Board forthwith report to this House, whether it is contemplated by said Board to lower the level of Seneca lake, and if so, by what authority the same is proposed to be done ; and whether such work is now in progress, and the extent of the proposed work, with the estimated cost, together with the probable amount of damages to mill owners and warehousemen, likely to arise from such contemplated work.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

In pursuance of previous notice, Mr. J. Benedict asked for and obtained leave to introduce a bill entitled, "An act to amend the 302d section of the code of procedure," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. J. Benedict gave notice that he would, at an early day, ask leave to introduce a bill to consolidate the Syracuse and Utica and the Utica and Schenectady railroad companies.

In pursuance of previous notice, Mr. Southwick asked for and obtained leave to introduce a bill entitled, "An act to extend the time to the collector of taxes in the town of Waterloo to complete the collection of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

Mr. Lyon offered for the consideration of the House, a resolution, in the words following, to wit :

Resolved, That the State Engineer and Surveyor be and is hereby requested to communicate, at an early day, for the information of this House, an accurate statement of the number of acres sold, and their price, and to whom, for the last twenty years, and also the number of acres remaining of the public lands of this State.

Ordered, That the said resolution be laid upon the table.

Mr. Bottum gave notice that he would, at some future day, ask leave to introduce a bill to incorporate the Watson agricultural institution, in the county of Wayne.

Mr. Wooster gave notice that he would, at an early day, ask leave to introduce a bill to amend section 24, of article, 3d, of chapter 5th

part 1st, of the Revised Statutes, relating to the discharge of insolvent debtors from their debts.

Mr. O. Allen gave notice of his intention, at an early day, to ask leave to bring in a bill to authorise an improvement of the channel of Cattaraugus creek.

Mr. Severance gave notice that he would at an early day, ask leave to introduce a bill to amend the charter of the city of Buffalo in relation to the salary of the police justice of said city.

On motion of Mr. Underwood,

Resolved, That the Hon. the Senate be and are hereby respectfully requested to transmit to this House, the petitions and papers on file relative to the claim of John Copeland, and that the same when received be referred to the committee on claims.

On motion of Mr. Wooster,

Resolved, That the petition of Norman Butler and Stiles Johnson, in the matter of their claim for canal damages, together with the report and other papers accompanying the same, be taken from the files and referred to the committee on claims.

In pursuance of previous notice, Mr. Sherman asked for and obtained leave to introduce a bill entitled, "An act relating to excise," which was read the first time and by unanimous consent was also read the second time, and referred to the select committee upon that subject.

In pursuance of previous notice, Mr. Ingersoll asked for and obtained leave to introduce a bill entitled, "An act submitting the claim of Daniel Cornell and Ransom Clark, of the town of Guilford, in the county of Chenango, to the electors of said town," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. A. Smith,

Resolved, That the bill entitled, "An act to amend an act to provide for the incorporation of villages, passed Dec. 7, 1847, and to confirm the official acts of certain officers," be printed.

On motion of Mr. Elderkin,

The House proceeded to the consideration of the resolutions heretofore offered by him, in the words following, to wit :

Resolved, That the Clerk be directed to furnish each of the officers of this House, with a copy of the debates of the constitutional convention of 1846, and that the same be paid for out of the contingent fund.

Mr. Moss moved to amend said resolution by striking out all after the word "resolved," and inserting the words following :

"That at the end of the present session of the Legislature, each member and officer of this House who shall have been furnished with a copy of the debates of the constitutional convention of 1846, during this session, shall place the same in the Assembly library, there to constitute a part of the Assembly library for the use of the members of future Legislatures during its session."

Mr. Speaker put the question whether the House would agree to said amendment, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Underwood gave notice of his intention at an early day, to introduce a bill to amend the act entitled, "An act to provide for the incorporation and regulation of telegraph companies, passed April 12, 1848."

On motion of Mr. Townsend,

Leave of absence was granted to Mr. W. S. Gregory, for one week.

In pursuance of previous notice, Mr. Macomber asked for and obtained leave to introduce a bill entitled, "An act for the relief of Catharine Leland," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

On motion of Mr. J. Benedict,

The House then adjourned.

MONDAY, JANUARY 20, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Campbell.

The minutes of yesterday were read and approved.

Mr. Speaker announced as an additional member of the select committee on assessment of taxes: Mr. Stillwell.

Mr. O. Allen presented the petition of P. McKeeker, for relief, which was read and referred to the committee on expenditures.

Mr. O. Allen presented two petitions of the stockholders of the Attica and Hornellsville railroad company, residing severally, at Nunda, and Portage, for an amendment to their charter, which were read and referred to the committee on railroads.

Mr. McLouth presented the petition of John Greig, Canandaigua, for the re-charter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. Bottum presented the petition of sundry inhabitants of Seneca co., praying that the Sodus canal company, be allowed to complete their work, which was read and referred to the committee on canals.

Mr. Yeomans presented the remonstrance of citizens of Arcadia, of Wayne county, against a division of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Yeomans presented the petition of citizens of Wayne county, for the abolition of the new school law, also to abolish the State Normal school, and school journal, as State institutions, and other purposes, which was read and referred to the committee on colleges, academies and common schools.

Mr. Severance presented the petition of Wm. J. Nelson, and Jas

C. Phillips, praying the passage of a law, requiring the Canal Board to pay them an amount of money due them on a contract for work done on the Genesee Valley canal, which was read and referred to the committee on grievances.

Mr. Stevens presented the remonstrance of the Syracuse and Utica railroad company, against a bill to reduce their fare, which was read and referred to the committee on railroads.

Mr. Yeomans presented five petitions of citizens of Wayne county, for a division of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Cady presented the petition of Samuel E. Johnson, and others in relation to a grievance on the Fulton ferry boat, Brooklyn, which was read and referred to the committee on grievances.

Mr. Bottum presented the petition of inhabitants of the town of Sodus, Wayne co., praying that the Sodus canal company, may be allowed to complete their work, which was read and referred to the committee on canals.

Mr. Colvin presented the petition of 57 citizens of Auburn, Cayuga county, to change the route of the Rochester and Syracuse railroad company, through the city of Auburn, which was read and referred to the committee on railroads.

Mr. LeRoy presented the petition of inhabitants of Onondaga co., praying for the reduction of railroad fare to two cents per mile, which was read and referred to the committee on railroads.

Mr. Yeomans presented the petition of John Greig, of Canandaigua, for the re-charter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. Higby presented the remonstrance of 461 citizens of the county of Steuben, against a law making Addison a half shire-town in said county, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Elderkin presented the petition of Stiles Hawley, and 79 others, praying for the repeal, modification or amendment of the militia law of this State, which was read and referred to the committee on militia and public defence.

Mr. Southwick presented the petition of 64 citizens of Seneca co., praying for a law, that no inhabitant of this State, shall be deprived of life or liberty, or be taken from this State, except for crime committed in another State, without the privilege of a trial by jury, which was read and referred to the committee on the judiciary.

Mr. Smith presented the petition of John Stewart and others, for a law abolishing the sale of intoxicating drinks, except as a medicine, which was read and referred to the select committee on that subject.

The petition of Reuben Lyon, for damages occasioned by the Chemung canal, was read and referred to the committee on claims.

Mr. Gleason presented two petitions of citizens of the town of Lexington, in the county of Greene, for an alteration of the line between the counties of Greene and Delaware, so as to set off the farm owned and occupied by Frederick Moore, now in said Lexington, to include the same in the town of Roxbury, and county of Del-

aware, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to regulate the appraisal of church pews," reported that the committee had examined the said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Bird, from the committee on the internal affairs of towns and counties, to which was referred sundry petitions to extend the time for the collection of taxes, reported, and asked and obtained leave to bring in a bill entitled, "An act to extend the time for the collection of taxes," which was read the first time and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Macomber, from the committee on state prisons, to which was referred the bill entitled, "An act for the relief of Eleazer Hills," asked to be discharged from the further consideration of said bill, and that it be referred to the committee on claims.

Mr. Speaker put the question whether the House would agree to the said report, and it was determined in the affirmative.

Mr. Atwood, from the committee on expenditures, to which was referred the resolution in relation to diagrams, reported the following resolution, to wit:

Resolved, That the Clerk be directed to procure 1000 diagrams of the Assembly chamber, of the same style as those executed by J. E. Gavit, in addition to those already ordered.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Speaker presented a communication from the Governor, transmitting the resolutions adopted by the General Assembly of the State of Vermont, and by constitutional conventions of the states of Indiana, Maryland and New Hampshire, in relation to the peace measures adopted by Congress, which were read and referred to the committee on the judiciary.

A communication was received from the Seamen's bank of savings of the city of New-York, which was read and referred to the committee on banks and insurance companies.

The bill from the Senate entitled, "An act for the repeal of the charter of the Croton turnpike company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Coffin	L. Harris	Macomber	Sickles
Baker	Colvin	Hatch	Maurice	A. Smith

Belknap	Congdon	Heath	Miles	E. T. Smith
J. Benedict	Corser	Hewit	Moss	Southwick
T. H. Benedict	Davis	Higby	Nelson	Stevens
Bird	Dennison	Hinds	Noble	Stillwell
Blackstone	Dewey	Horton	Pool	Swords
Bowne	Douglass	Ingersoll	Robinson	Speaker
Bradley	Elderkin	Jayne	Rockwell	A. A. Thompson
Brayton	Ely	Kinsley	Rouse	Townsend
Briggs	Ferris	Kellogg	Rowe	Tuthill
Burroughs	Feller	Lake	Rumsey	Underwood
Bushnell	Fordyce	Langdon	W. Russell	Varnum
Cady	Gilbert	Lawyer	W. F. Russell	Welden
Campbell	Gleason	Le Roy	Severance	Wooster
Chamberlin	A. A. Gregory	Lesley	Shall	Wright
G. Clark	Greene	McLouth	Sherman	Yeomans
J. F. Clark				

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Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have passed the same without amendment.

In pursuance of previous notice, Mr. Baker asked for and obtained leave to bring in a bill entitled, "An act to incorporate the Williamsburgh savings bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

In pursuance of previous notice, Mr. Fisk asked for and obtained leave to bring in a bill entitled, "An act to extend the time for the collection of taxes in the town of Byron, in the county of Genesee," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole having charge of the general bill.

Mr. Burroughs moved to refer the bill entitled, "An act to enlarge the powers of the board of education of the Village of Medina, and to confirm certain acts of school district number twelve therein," to a select committee consisting of the Orleans county delegation with instructions to report the same complete.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

In pursuance of previous notice, Mr. O. Allen asked for and obtained leave to bring in a bill entitled, "An act to provide for improving the channel of Cattaraugus creek," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

Mr. Le Roy gave notice that he would at an early day, ask leave to introduce a bill entitled, "An act to authorise the formation of savings banks, and to regulate the same."

In pursuance of previous notice, Mr. Atwood asked for and obtained leave to bring in a bill entitled, "An act to authorise the commissioners of highways of the town of Lancaster, county of Erie, to borrow money," which was read the first time and by unanimous consent was also read a second time, and referred to a select committee consisting of the Erie county delegation.

In pursuance of previous notice, Mr. Dennison asked for and obtained leave to bring in a bill entitled, "An act to change the name of Mary Owen, to that of Mary Owen Denison," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Varnum asked for and obtained leave to introduce a bill entitled, "An act to amend section 459 of the code of procedure, so as more effectually to provide for a review or rehearing of judgments or decrees heretofore or hereafter entered," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. H. J. Allen asked for and obtained leave to introduce a bill entitled, "An act for the licensing and government of the pilots of the port of New-York by the way of Sandy Hook," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Fitzhugh asked for and obtained leave to bring in a bill entitled, "An act authorising the Canal Commissioners to take for the use of the State, a bridge over the Erie canal, at Court street, in the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Dennison offered for the consideration of the House, a resolution, in the words following, to wit:

WHEREAS, It is incumbent upon the legislators and statesmen of a free commonwealth, to evince their regard, and that of the people whom they represent, for the services and sacrifices of such of their illustrious fellow citizens, as have eminently contributed to the greatness and prosperity of our common country; and

WHEREAS, The Congress of the United States, did in 1777, pass a resolution, requesting the executive authority of this State, to erect a monument, at the expense of the United States, to the memory of Gen. Nicholas Herkimer, a native of this State, who died of wounds received in the revolutionary war; and

WHEREAS, Although the attention of the Legislature, and of Congress, has been repeatedly called to the propriety of taking some efficient action in accordance with the spirit of the above named resolution, no measures have been as yet adopted to secure the accomplishment of the meritorious object designed by such resolution; therefore

Resolved, (If the Senate concur,) That the Governor of this State be, and he is hereby directed, to cause a suitable monument to be erected, over the remains of Gen. Herkimer, and that the expense thereof not exceeding one thousand dollars, be defrayed from the State Treasury.

Ordered, That said resolution be laid upon the table.

Mr. Higby gave notice of his intention to introduce a bill taxing all male citizens over twenty-one years of age, fifty cents, the pro-

ceeds of which shall be applied for the support of common schools throughout the State.

Mr. Higby gave notice of his intention to introduce a bill levying an income tax upon professional men, the proceeds of which shall be applied for the support of common schools throughout the State.

Mr. Stevens gave notice that he would at an early day, ask leave to introduce a bill to amend an act entitled, "An act to exempt from sale on execution, the homestead of a householder having a family."

On motion of Mr. McLouth,

Leave of absence was granted to Mr. Pardee, for one week.

Mr. E. Perry offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That from and after the 1st of February, this House meet at 10 o'clock, A. M.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

On motion of Mr. Varnum,

Resolved, That the petition and papers on file, of William P. Powers, and Mary Louisa Powers, with the accompanying act for the relief of Mary Louisa Powers, be taken from the files, and referred to the judiciary committee.

On motion of Mr. Macomber,

Resolved, That the Clerk of the Assembly is hereby authorised to pay out of the contingent fund, to each of the officers of the House, (who are not allowed to draw their pay during the session,) for such number of days as the Speaker may certify, not to exceed three dollars per day, and messengers not to exceed one dollar and fifty cents per day, and that such sum as they may thus receive, be deducted from their compensation in the supply bill to be passed at the close of the session.

Ordered, That said resolution be laid upon the table.

In pursuance of previous notice, Mr. Brayton asked for and obtained leave to bring in a bill entitled, "An act authorising the Canal Appraisers to ascertain and award damages in certain cases," which was read the first time and by unanimous consent was also read a second time, and referred to the committee on claims.

Mr. Underwood gave notice that he would at an early day, ask leave to introduce a bill to amend the act entitled, "An act to provide for the incorporation of insurance companies, passed April 10, 1849."

Mr. Underwood gave notice that he would, at an early day, ask leave to introduce a bill to separate the Bank Department from the office of the Comptroller, and to erect the said Department into a distinct office, to be placed under the charge and direction of a commissioner.

In pursuance of previous notice, Mr. Ferris asked for and obtained leave to introduce a bill entitled, "An act to repeal an act establishing free school throughout the State, passed March 26, 1849, and of the act to amend the same," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on colleges, academies and common schools.

On motion of Mr. Burroughs,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit:

Resolved, That the Canal Board, at their earliest convenience, report to this House, whether it is contemplated by said Board to lower the level of Seneca lake, and if so, by what authority the same is proposed to be done; and whether such work is now in progress, and the extent of the proposed work, with the estimated cost, together with the probable amount of damages to mill owners and warehousemen, which is to arise from such contemplated work.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

In pursuance of previous notice, Mr. H. Harris asked for and obtained leave to introduce a bill entitled, "An act in relation to the Albany and Schenectady railroad company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. H. Harris asked for and obtained leave to introduce a bill entitled, "An act to amend an act for the incorporation of companies to construct plank roads and turnpike roads, passed May 7, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Yeomans gave notice that he would, at an early day, ask leave to introduce a bill for legalizing the proceedings of Isaac E. Beecher, of Palmyra, as justice of the peace.

In pursuance of previous notice, Mr. Wooster asked for and obtained leave to bring in a bill entitled, "An act to amend sec. 24, of chap. 5, art. 3, title 1st, part 2d, of the Revised Statutes," which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Underwood asked for and obtained leave to bring in a bill entitled, "An act to amend an act entitled, 'An act to provide for the incorporation and regulation of telegraph companies,' passed April 12, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

On motion of Mr. Varnum,

Resolved, That the committee of the whole which had in charge the bills entitled "An act to incorporate the Rome water works co.," and "An act to repeal an act entitled, 'An act providing for the registry of births, marriages and deaths,'" be discharged from the further consideration thereof, and that they be restored to their places on the general orders.

On motion of Mr. Le Roy,

The House then resolved itself into a committee of the whole on the bill entitled, "An act for relief of Henry G. Beach, of the town of Lysander, in the county of Onondaga."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. J. Benedict, from said committee, reported that the commit-

tee had gone through said bill, and agreed to the same with a slight amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

On motion of Mr. J. Benedict,

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act to incorporate the Rome water works company."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Bird, from said committee, reported that the committee had gone through said bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

Mr. Tuthill moved the House go into committee of the whole, on bill No. 29.

Mr. Speaker put the question whether the House would agree to the said motion, and it was determined in the negative.

Mr. Burroughs, from the select committee to which was referred the bill entitled, "An act to enlarge the powers of the board of education of the village of Medina, and to confirm certain acts of school district number twelve therein," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

The said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Coffin	L. Harris	Maurice	A. Smith
O. Allen	Colvin	Hatch	Miles	E. T. Smith
Atwood	Cooke	Heath	Minier	Snell
Baker	Congdon	Hewit	Moss	Southwick
Barnes	Corser	Higby	Nelson	Stevens
Belknap	Davis	Hinds	Noble	Stilwell
J. Benedict	Dennison	Horton	E. Perry	Stratton
Bird	Dewey	Ingersoll	J. L. Perry	Swords
Blackstone	Douglass	Jayne	Pool	Speaker
Bottom	Doyle	Kinsley	Robinson	A. A. Thompson
Bowne	Elderkin	Kellogg	Rockwell	Townsend
Bradley	Ely	Lake	Rouse	Tuthill
Brayton	Ferris	Langdon	Rowe	Underwood
Burroughs	Feller	Lawyer	Rumsey	Varnum
Bushnell	Fitzhugh	Leggett	W. Russell	Ward
Cady	Fordyce	Le Roy	W. F. Russell	Welden
Campbell	Gilbert	Lesley	Severance	Wheeler
Carrington	Gleason	Lewis	Shall	Wooster
Chamberlin	A. A. Gregory	Lyon	Sherman	Wright
G. Clark	Greene	Macomber	Siekles	Yeomans
J. F. Clark	H. Harris			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

On motion of Mr. Tuthill,

The House then resolved itself into a committee of the whole on the bill entitled, as follows, to wit:

"An act for the relief of the Shinecock Indians."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Hatch, from said committee, reported that they had gone through said bill, and agreed to the same, with an amendment.

Mr. Elderkin moved that said bill be referred to a select committee to consist of the Suffolk county delegation, to report complete.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the affirmative.

On motion of Mr. Burroughs,
The House then adjourned.

TUESDAY, JANUARY 21, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Bowen.

The minutes of yesterday were read and approved.

Mr. Underwood presented the petition of D. Robinson and others of Mentz, Cayuga county, for an extension of the time for the collection of taxes in said town, until the first of March next, which was read and referred to the committee of the whole having charge of that subject.

Mr. Gleason presented the petition of the trustees, and other citizens of the village of Franklin, county of Delaware, for an amendment of the charter of said village which was read and referred to committee on the incorporation of cities and villages.

Mr. Gleason presented the petition of 60 citizens of Montgomery county, for a law authorising a stay of the collection of rents on manorial lands, while the titles thereof are being tested in actions commenced by the Attorney General, for the State; also for an act guaranteeing to tenants occupying such lands, a pre-emption right for acquiring the title thereof, respectively, in cases where the title shall be found in the State, which was read and referred to a select committee.

Mr. Ely presented the petition of 80 citizens of Owego, for a law to prohibit, under adequate penalties, the sale of intoxicating drinks, which was read and referred to the select committee on that subject.

Mr. Ferris presented the petition of 107 inhabitants of Ithaca, in the co. of Tompkins, to renew the charter of the Sodus canal co. and extend the time for the completion of the work, which was read and referred to the committee on canals.

Mr. LeRoy presented the petition of Warren, Norton, and others,

contractors on the Oswego canal, for an appraisal of their damages in consequence of the suspension of the public works, which was read and referred to the committee on canals.

Mr. Brayton presented the petition of citizens of Rome and its vicinity, for the incorporation of the Rome savings bank, which was read and referred to the committee on banks and insurance companies.

Mr. McLouth presented the petition of inhabitants of Geneva, Ontario county, for renewal of the charter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. McLouth presented the petition of the faculty of Geneva medical college, for an annual appropriation of \$1000, which was read and referred to the committee on medical societies and colleges.

Mr. J. W. Babcock, presented the petition of Elisha Fisk, and 178 others, for the unconditional repeal of the new school law, which was read and referred to the committee on colleges, academies, and common schools.

Mr. Bottom presented the petition of inhabitants of Lyons, Wayne county, for renewal of the charter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. Chamberlin presented the petition of John Dickinson, and 104 others, of West Bloomfield, Ontario county, for an amendment of the free school law, by causing to be levied and collected, a tax on the entire property of the State, an amount sufficient to sustain a good common school in each school district of the State, 8 or 9 months in each year, to be proportioned and distributed to each county, as the public moneys are now proportioned and distributed, which was read and referred to the committee on colleges, academies and common schools.

Mr. Lyon presented the petition of inhabitants of Lewis county, that Moose river be declared a public highway, which was read and referred to the committee on commerce and navigation.

Mr. Moss presented the memorial of E. L. Bolard, and 23 others, inhabitants of the village of Pendleton, in the county of Niagara, in relation to the new canal route at that place, which was read and referred to the committee on canals.

Mr. A. Smith presented the petition of Nathan Russell and others, for an act to confirm certain acts of commissioners of highways of Chautauque co., which was read and referred to the committee on the judiciary.

Mr. Underwood presented the petition of Doty & Miller, of Auburn, Cayuga county, that a copy of the book by them published, called "The new clerk's assistant, or every man his own lawyer," may be placed in each of the common school districts of this State, and that so much of the library money as may be necessary may be appropriated for the purchase of such books, which was read and referred to the committee on colleges, academies and common schools.

Mr. Rouse presented the petition of stockholders of the Utica and Waterville central plank road company, for amendments of the plank road laws, which was read and referred to the committee on roads and bridges.

Mr. Bottum presented three several petitions of inhabitants of Wayne county, for renewal of the charter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. J. Benedict presented two several petitions of citizens of Utica, for the abolition of the recorder's court in that city, which was read and referred to the committee of the whole having charge of that subject.

Mr. J. Benedict presented the remonstrance of the mayor and citizens of Utica, against abolishing the recorder's court of that city, which was read and referred to the committee of the whole, having charge of that subject.

Mr. Yeomans presented the petition of citizens of Palmyra and Rochester, for recharter of the Sodus canal co., which was read and referred to the committee on canals.

Mr. Carrington presented the remonstrance of 210 citizens, taxpayers and electors of Steuben co., against the passage of a law making Addison a half shire-town in said county, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Miles presented the petition of sundry inhabitants of Steuben co., that Addison be made a half shire-town in said county, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Townsend presented the memorial of the mayor, aldermen and commonalty of the city of New-York, praying for the passage of an act to fix the eastern exterior line of the city between 18th and 23d streets, which was read and referred to a select committee consisting of the New-York delegation.

Mr. Speaker announced as the select committee on the petitions for the modification of the laws regulating interest, Messrs. Cady, Hatch, Swords, LeRoy and Campbell.

Mr. Norton, from the committee on printing, reported the following resolution, to wit :

Resolved, That the usual number of the report of the Superintendent of the Onondaga Salt Springs be printed, and also 300 copies for the use of the superintendent.

Mr. Stevens moved to increase the number to 500.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Stevens, and it was determined in the negative.

Mr. Stevens moved that the said resolution be laid upon the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Stevens, and it was determined in the negative.

Mr. LeRoy moved to print 400 for superintendent.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Le Roy, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Norton, from the committee on printing, reported the following resolution, to wit :

Resolved, That the usual number of the compromise resolutions, offered by Mr. A. A. Thompson, be printed.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

{ AYES 85 }
{ NOES 28 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	A. A. Gregory	Minier	E. T. Smith
O. Allen	G. Clark	Greene	Moss	Snell
Anthon	J. F. Clark	Hatch	Norton	Southwick
Backhouse	Colvin	Hewit	E. Perry	Stewart
Barnes	Corser	Higby	Pool	Stillwell
Belknap	Davis	Horton	Rider	Swords
T. H. Benedict	Dennison	Jayne	Robinson	Speaker
Bird	Dewey	Kinsley	Rockwell	A. A. Thompson
Blackstone	Doyle	Lawyer	Rouse	O. C. Thompson
Bottum	Elderkin	Leggett	Ramsey	Townsend
Bowne	Ferris	Le Roy	W. Russell	Underwood
Brayton	Feller	Lesley	W. F. Russell	Varnum
Briggs	Fitzhugh	Lewis	Ryan	Welden
Burroughs	Fordyce	Lyon	Severance	Wheeler
Cady	French	Macomber	Sherman	Whiteside
Campbell	Gleason	Maurice	Shultes	Wright
Carrington	Graham	Miles	Sickles	Yeomans

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Those who voted in the negative are,

J. W. Babcock	Douglass	H. Harris	McLouth	A. Smith
Baker	Ellwood	Heath	Nelson	Stevens
J. Benedict	Ely	Hinds	J. L. Perry	Stratton
Bradley	Farr	Ingersoll	Rowe	Tuthill
Coffin	Fisk	Lake	Shall	Ward
Congdon	Gilbert	Langdon		

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Mr. O. Allen, from the committee on canals, to which was referred the petition of the Canal Appraisers, for increase of the salary of the clerk of the said appraisers, reported, and asked and obtained leave to bring in a bill entitled, "An act to fix the salary of the clerk of the Canal Appraisers," which was read the first time and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Lesley, from the committee on railroads, to which was referred the bill entitled, "An act to authorise the Albany and Schenectady railroad company to borrow money to pay outstanding bonds and to complete its double track," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. H. J. Allen, from the committee on commerce and navigation,

Mr. Bottum presented three several petitions of inhabitants of Wayne county, for renewal of the charter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. J. Benedict presented two several petitions of citizens of Utica, for the abolition of the recorder's court in that city, which was read and referred to the committee of the whole having charge of that subject.

Mr. J. Benedict presented the remonstrance of the mayor and citizens of Utica, against abolishing the recorder's court of that city, which was read and referred to the committee of the whole, having charge of that subject.

Mr. Yeomans presented the petition of citizens of Palmyra and Rochester, for recharter of the Sodus canal co., which was read and referred to the committee on canals.

Mr. Carrington presented the remonstrance of 210 citizens, taxpayers and electors of Steuben co., against the passage of a law making Addison a half shire-town in said county, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Miles presented the petition of sundry inhabitants of Steuben co., that Addison be made a half shire-town in said county, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Townsend presented the memorial of the mayor, aldermen and commonalty of the city of New-York, praying for the passage of an act to fix the eastern exterior line of the city between 18th and 23d streets, which was read and referred to a select committee consisting of the New-York delegation.

Mr. Speaker announced as the select committee on the petitions for the modification of the laws regulating interest, Messrs. Cady, Hatch, Swords, LeRoy and Campbell.

Mr. Norton, from the committee on printing, reported the following resolution, to wit :

Resolved, That the usual number of the report of the Superintendent of the Onondaga Salt Springs be printed, and also 300 copies for the use of the superintendent.

Mr. Stevens moved to increase the number to 500.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Stevens, and it was determined in the negative.

Mr. Stevens moved that the said resolution be laid upon the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Stevens, and it was determined in the negative.

Mr. LeRoy moved to print 400 for superintendent.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Le Roy, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Norton, from the committee on printing, reported the following resolution, to wit :

Resolved, That the usual number of the compromise resolutions, offered by Mr. A. A. Thompson, be printed.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

{ AYES 85 }
{ NOES 28 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	A. A. Gregory	Minier	E. T. Smith
O. Allen	G. Clark	Greene	Moss	Snell
Anthom	J. F. Clark	Hatch	Norton	Southwick
Backhouse	Colvin	Hewit	E. Perry	Stewart
Barnes	Corser	Higby	Pool	Stillwell
Belknap	Davis	Horton	Rider	Swords
T. H. Benedict	Dennison	Jayne	Robinson	Speaker
Bird	Dewey	Kinsley	Rockwell	A. A. Thompson
Blackstone	Doyle	Lawyer	Rouse	O. C. Thompson
Bottom	Elderkin	Leggett	Ramsey	Townsend
Bowne	Ferris	Le Roy	W. Russell	Underwood
Brayton	Feller	Lesley	W. F. Russell	Varnum
Briggs	Fitzhugh	Lewis	Ryan	Welden
Burroughs	Fordyce	Lyon	Severance	Wheeler
Cady	French	Macomber	Sherman	Whiteside
Campbell	Gleason	Maurice	Shultes	Wright
Carrington	Graham	Miles	Sickles	Yeomans

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Those who voted in the negative are,

J. W. Babcock	Douglass	H. Harris	McLouth	A. Smith
Baker	Ellwood	Heath	Nelson	Stevens
J. Benedict	Ely	Hinds	J. L. Perry	Stratton
Bradley	Farr	Ingersoll	Rowe	Tuthill
Coffin	Fisk	Lake	Shall	Ward
Coagdon	Gilbert	Langdon		

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Mr. O. Allen, from the committee on canals, to which was referred the petition of the Canal Appraisers, for increase of the salary of the clerk of the said appraisers, reported, and asked and obtained leave to bring in a bill entitled, "An act to fix the salary of the clerk of the Canal Appraisers," which was read the first time and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Lesley, from the committee on railroads, to which was referred the bill entitled, "An act to authorise the Albany and Schenectady railroad company to borrow money to pay outstanding bonds and to complete its double track," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. H. J. Allen, from the committee on commerce and navigation,

to which was referred the bill entitled, "An act for the licensing and government of the pilots of the port of New-York by the way of Sandy Hook," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Varnum, from the committee on railroads, to which was referred the bill entitled, "An act further to amend the charter of the Attica and Hornellsville railroad company, passed May 14 1845," reported in favor of the passage of the same, with the title amended so as to read "An act further to amend the charter of the Attica and Hornellsville railroad company, passed May 14, 1845, so as to authorize said company to extend the road to the city of Buffalo, and change the corporate name," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole; also, two other bills on the same subject, to wit:

"An act to authorise the Buffalo and Rochester railroad company to sell and convey the whole or any portion of its real estate, railroad track, depots and appendages in or from the village of Attica to the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

"An act to authorise any railroad corporation in this State to subscribe to the capital stock of the Attica and Hornellsville railroad company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act for the relief of Henry G. Beach, of the town of Lysander, in the county of Onondaga."

Ordered, That said bill be read the third time.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to change the name of Mary Owen to Mary Owen Dennison, reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the resolutions passed by the board of supervisors of Oswego county, for a law to authorise the election of a surrogate in said county, reported, and asked and obtained leave to bring in a bill entitled, "An act to provide for the election of a separate officer to perform the duties of the office of surrogate in certain counties," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to provide for exchanging the re-

ports of court of appeals, for the law reports of other States," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of sundry inhabitants of Schoharie county, for an extra term of the court of oyer and terminer for said county, to be held on the second Monday of February, 1851, reported adversely, and offered for the consideration of the House a resolution in the words following, to wit :

Resolved, That the petitioners have leave to withdraw their petition.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend section 5, article 1, title 2, chapter 13, vol. 1, Revised Statutes," (edition of 1836,) asked to be discharged from the further consideration of said bill, and that the same be referred to the select committee on taxes and assessments, which report was agreed to.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition for an act to empower notaries to take affidavits and acknowledgments of deeds and other instruments, reported adversely to the prayer of the petitioners, and offered for the consideration of the House, a resolution, in the words following, to wit :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Ward, from the committee on charitable and religious societies, to which was referred the bill entitled, "An act in relation to the Troy cemetery association," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Ward, from the committee on charitable and religious societies, to which was referred the bill entitled, "An act to incorporate the Protestant Episcopal mutual benefit society," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. H. Harris, from the joint library committee, to which was referred that portion of the Governor's message relating to the State Library, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the erection of a fire proof building for the State Library, and to provide for the better accommodation of the Legislature," which was read the first time, and by unanimous

Those who voted in the affirmative are,

Anthoa	Chamberlin	Gleason	McLouth	A. Smith
Atwood	G. Clark	Graham	Macomber	Snell
R. Babcock	J. F. Clark	A. A. Gregory	Maurice	Southwick
J. W. Babcock	Coffin	Greene	Miles	Stevens
Backhouse	Colvin	H. Harris	Minier	Stewart
Baker	Cooke	L. Harris	Moss	Stilwell
Barnes	Congdon	Hatch	Nelson	Stratton
Belknap	Corser	Heath	Norton	Swords
J. Benedict	Davis	Hewit	E. Perry	Speaker
T. H. Benedict	Dennison	Higby	J. L. Perry	A. A. Thompson
Bird	Dewey	Hinds	Pool	O. C. Thompson
Bishop	Douglass	Hoppin	Rider	Townsend
Blackstone	Elderkin	Jayne	Robinson	Tuthill
Bottum	Ellwood	Kinsley	Rockwell	Underwood
Bowne	Ely	Lake	Rouse	Varnum
Bradley	Farr	Langdon	Rowe	Ward
Briggs	Feller	Lawyer	Rumsey	Welden
Burroughs	Fisk	Leggett	W. Russell	Wheeler
Bushnell	Fitzhugh	Le Roy	Ryan	Whiteside
Cady	Fordyce	Lesley	Sherman	Wright
Campbell	French	Lewis	Shultes	Yeomans
Carrington	Gilbert	Lyon	Sickles	

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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

In pursuance of previous notice, Mr. Wheeler asked for and obtained leave to bring in a bill entitled, "An act authorising the expenditure of the proceeds of the sale of the arsenal and lot in the village of Malone, in the county of Franklin, for the improvement of the arsenal green in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public lands.

Mr. Underwood offered for the consideration of the House, resolutions, in the words following, to wit:

Resolved, (If the Senate concur,) That it is not necessary for the State of New-York to re-affirm its devotion to the Constitution, or its attachment to the Union; that that devotion and attachment has never wavered nor faltered, from the hour of the adoption of the one or the formation of the other.

Resolved, (If the Senate concur,) That the people of this State are established in the doctrine, that there shall not be admitted into the Union, nor added to it, any State or territory, in which slavery shall be allowed.

Resolved, (If the Senate concur,) That every citizen of this State is entitled to all the privileges conferred by the Constitution upon the citizens of any other State, and that he is to be protected in his liberty, wherever he remains within the limits of the Union.

Resolved, (If the Senate concur,) That the law known as the fugitive slave law, demands such a modification as will secure to the alleged slave, a trial by jury in the place he is taken, and especially to protect the freemen of the State, from unlawful seizure and duress.

Ordered, That said resolutions be laid upon the table.

Mr. J. L. Perry presented an invitation from the Faculty of the

Albany Medical College, to the members of this House, to attend the annual commencement of that institution, this evening.

On motion of Mr. Dennison,

Resolved, That the joint resolution heretofore offered by Mr. Dennison, relative to the erection of a monument in honor of Gen. Nicholas Herkimer, be referred to the standing committee on ways and means.

On motion of Mr. Burroughs,

Resolved, That the Clerk of this House shall cause to be kept, perfect sets and volumes of every work purchased or printed for the Assembly Library, constantly on hand in the Assembly library room.

Mr. Rouse gave notice that he would at an early day, ask leave to introduce a bill to appoint commissioners to lay out a public highway, in the towns of Westmoreland, Vernon, and Verona, in the county of Oneida.

On motion of Mr. Lyon,

Resolved, That the committee on commerce and navigation, be discharged from the further consideration of the petition of sundry inhabitants of the county of Lewis, for an act declaring Moose river a public highway, and that the same be referred to the committee on public lands, now having charge of that subject.

In pursuance of previous notice, Mr. Jayne asked for and obtained leave to bring in a bill entitled, "An act to repeal a certain portion of the Revised Statutes, in relation to common schools," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on colleges, academies and common schools.

On motion of Mr. Bird,

Resolved, That two members be added to the select committee on the assessment and equalization of taxes, thereby increasing the number to nine.

Mr. Anthon gave notice that he would at some early day, ask leave to introduce a bill to incorporate the female academy of the sacred heart, in the city of New-York.

Mr. Stewart gave notice that he would at an early day, ask leave to introduce a bill, enlarging the jurisdiction of county courts.

Mr. Anthon offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the judiciary committee be instructed to report upon the Union resolutions offered by Mr. Anthon, with all convenient speed.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. Anthon gave notice that he would, at some early day, ask leave to introduce a bill authorising John Hughes to convey to John McCloskey and John Timon certain properties for the uses and trusts therein mentioned.

Mr. Macomber offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the Clerk of the Assembly be authorised to pay out

of the contingent fund, to L. Stuart Rose, the sum of thirty dollars in full, for services rendered before and subsequent to the opening of the present session.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. Severance gave notice that he would, at an early day, ask leave to introduce a bill for the relief of the trustees and inhabitants of school district No. 1, of the town of Evans, in Erie county.

Mr. J. Benedict gave notice that he would, at a future day, ask leave to introduce a bill to amend and extend the act to incorporate the firemen of the city of Utica, passed April 26, 1833; also, a bill to provide for the incorporation of mutual loan and building associations.

In pursuance of previous notice, Mr. Le Roy asked for and obtained leave to introduce a bill entitled, "An act to authorise the formation of savings banks, and to regulate the same," which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. A. A. Thompson asked for and obtained leave to introduce a bill entitled, "An act to repeal an act entitled, 'An act to extend the right of trial by jury,' passed May 6, 1840," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Yeomans asked for and obtained leave to bring in a bill entitled, "An act to confirm the official acts of Isaac E. Beecher, a justice of the peace," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Lyon,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit:

Resolved, That the State Engineer and Surveyor be and is hereby requested to communicate, at an early day, for the information of this House, an accurate statement of the number of acres sold, and their price, and to whom, for the last twelve years, and also the number of acres remaining of the public lands of this State.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. Macomber,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit:

Resolved, That the Clerk of the Assembly is hereby authorised to pay out of the contingent fund, to each of the officers of the House, (who are not allowed to draw their pay during the session,) for such number of days as the Speaker may certify, not to exceed three dollars per day, and messengers not to exceed one dollar and fifty cents per day, and that such sum as they may thus receive, be deducted from their compensation in the supply bill to be passed at the close of the session.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

In pursuance of previous notice, Mr. H. Harris asked for and obtained leave to introduce a bill entitled, "An act to amend an act entitled, 'An act relating to sales by auction in the city of Albany,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Gleason moved the House go into committee of the whole, on bill No. 29.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Gleason, and it was determined in the negative.

On motion of Mr. Feller,

The House then resolved itself into a committee of the whole on the bill entitled, as follows, to wit:

"An act in relation to jail liberties."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. A. A. Thompson, from said committee, reported that they had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

On motion of Mr. Horton,

The House then resolved itself into a committee of the whole on the bills entitled, as follows, to wit:

"An act to repeal the provisions of the Revised Statutes, exempting ministers of the gospel from taxation;"

"An act to repeal an act entitled, 'An act providing for the registry of births, marriages and deaths.'"

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Horton, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

Mr. Horton, from said committee, reported progress on said second mentioned bill, and asked and obtained leave to sit again.

On motion of Mr. O. Allen,

The House then adjourned.

WEDNESDAY, JANUARY 22, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Campbell.

The minutes of yesterday were read and approved.

Mr. Underwood presented the petition of 180 citizens of Cayuga county, so to amend the plank road law, as to prohibit the erection

of toll gates hereafter, in front of dwelling houses already erected on such road, which was read and referred to the committee on roads and bridges.

Mr. Lyon presented the petition of sundry inhabitants of the county of Lewis, praying that Moose river may be declared a public highway, which was read and referred to the committee on public lands.

Mr. Atwood presented the petition of sundry inhabitants of the county of Erie, to repeal the law making the county clerk's office a salaried office, and to reduce the fees therein, which was read and referred to a select committee to consist of the Erie county delegation.

Mr. Snell presented two petitions of inhabitants of Fort Plain, and Palatine, for a repeal of the act which prohibits the erection of a bridge across the Mohawk river, within one mile of Fort Plain bridge, which were read and referred to the committee on roads and bridges.

Mr. Bird presented the petition of citizens of Buffalo, in relation to Black Rock harbor, which was read and referred to the Canal Board.

Mr. Lyon presented the petition of citizens of Jefferson co., praying for the equalization of taxation throughout the State, which was read and referred to the select committee on that subject.

Mr. Graham presented the petition of sundry inhabitants of the town of Ulysses, Tompkins co., praying for the repeal of the school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Bottum presented the petition of inhabitants of Wolcott, Wayne co., for the renewal of the charter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. Wakeman presented the petition of the trustees, &c., of the village of Fort Edward, praying for the amendment of the general village act so far as the same relates to said village, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Bowne presented the petition of John Garrison and 136 others, for the renewal of a charter of a ferry across the Hudson river, which was read and referred to the committee on commerce and navigation.

Mr. Stevens presented the petition of sundry tax-payers of Onondaga co., praying the Legislature to repeal the law for the registering of births, deaths and marriages, which was read and referred to the committee of the whole when on the bill upon that subject.

Mr. Stevens presented the petition of sundry inhabitants of the county of Oswego, praying the Legislature to pass a law to reduce the fare on railroads to two cents per mile, which was read and referred to the committee on railroads.

Mr. Jayne presented the petition of 70 inhabitants of the town of Benton, in the county of Yates, praying that the Legislature will pass an act to renew the charter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. Ellwood presented the petition of John Tomlinson, John Strong

and Stephen A. Daggett, asking for a law authorising the appraisers of damages of the Erie canal to examine the premises, hear evidence, and award damages, if any, which was read and referred to the committee on claims.

Mr. J. Benedict presented the petition of sundry inhabitants of the town of Deerfield, Oneida co., for the repeal of the free school law, which was read and referred to the committee on colleges, academies, and common schools.

Mr. Bowne presented the petition of 150 inhabitants of the town of Phillips, in the county of Putnam, for a ferry across the Hudson river to the county of Orange, which was read and referred to the committee on commerce and navigation.

Mr. E. T. Smith presented the petition of sundry inhabitants of Suffolk co., for the repeal of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Higby presented the remonstrance of 90 inhabitants of Steuben co., voters and tax-payers, against the erection of a half shire-town in said county, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Higby presented the remonstrance of 254 citizens, electors and tax-payers of the county of Steuben, against a law making Addison a half shire-town in said county, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. E. Perry presented two memorials and petitions of inhabitants, merchants and traders of the city of Albany, in relation to the redemption of bank notes at par, which were read and referred to the committee on banks and insurance companies.

Mr. Doyle presented resolutions passed by the supervisors of Delaware co., in the form of a petition, asking for the repeal of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. J. Benedict presented the petition of Barnes and Hinman, for damages in consequence of the widening of the Erie canal in Whites-town, Oneida co., which was read and referred to the committee on claims.

Mr. Speaker announced the following additional members of the select committee on the assessment of taxes : Messrs. Bird and Lyon.

Mr. O. Allen, from the committee on canals, to which was referred the petition of citizens of the village of Pendleton, in relation to the new canal route at that place, reported the following resolution, to wit :

Resolved, That the memorial of E. L. Rolard and 23 others, of the village of Pendleton, in the county of Niagara, in relation to the new canal route at that place, be referred to the Canal Board, and the committee on canals be discharged from any further consideration of the subject.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Wheeler, from the committee on ways and means, to which was referred the petition of Thos. J. Strong and Geo. W. Cheeney,

praying for an act authorising the Comptroller to audit their account for the publication of a list of non-resident lands in the county of Warren, reported in writing, and asked and obtained leave to bring in a bill entitled, "An act for the relief of Thomas J. Strong and George W. Cheeney," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Underwood, from the committee on banks and insurance companies to which was referred the annual statement of unclaimed dividends and deposits from several banks, reported that the same were in accordance with law, and asked to be discharged from the further consideration thereof, which report was agreed to.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred the petition of the East River savings institution, for an amendment of their charter, reported, and asked and obtained leave to bring in a bill entitled, "An act to amend an act to incorporate the East River savings institution," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred the petition of the emigrant industrial savings bank of the city of New-York, reported, and asked and obtained leave to bring in a bill entitled, "An act to amend the act to incorporate the emigrant industrial savings bank, passed April 10th, 1850," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to amend the act to incorporate the village of Canton, passed May 13, 1845," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of the East river insurance company, to extend the time for selling certain real estate, reported, and asked and obtained leave to bring in a bill entitled, "An act to confirm the title in the East river insurance company, to certain real estate in the city of New-York, and to amend the charter thereof," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred sundry petitions to make the office of district attorney in the counties of Chautauque and Chemung, a salaried office, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the boards of supervisors of the several counties in this State, to make the office of district attorney a salaried office, and fix the salary thereof," which was read the first time and by unanimous

consent was also read a second time, and committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend section 24, chapter 5, article 3, title 1, part 2, of the Revised Statutes, relating to the discharge of insolvents," reported that the committee had examined the said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of Sarah McFrances, for relief, reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of Sarah McFrances," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Atwood, from the committee on expenditures, to which was referred a resolution in relation to the purchase of the Revised Statutes in the years 1849, and 1850, reported in writing, and asked to be discharged from the further consideration of the same, which report was agreed to.

Mr. Lyon, from the committee on public lands, to which was referred the bill entitled, "An act authorising the expenditure of a portion of the proceeds of the sale of the arsenal and arsenal lot in the village of Malone, in the county of Franklin, for the purpose of improving the arsenal green in said village," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Bird, from the committee on the internal affairs of towns and co's, to which was referred the petition of supervisors of Seneca co., for a law making the office of district attorney in that co., a salaried office, reported, and asked and obtained leave to bring in a bill entitled, "An act to make the office of district attorney of Seneca county a salaried office, and regulating the salary thereof," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bird, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled, "An act granting to Philip A. Strong, the right of establishing a ferry across the Chautauque lake," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to incorporate the Rome water works company;"

"An act in relation to the liberties of jails;"

"An act to repeal the provisions of the Revised Statutes, exempting ministers of the gospel from taxation;"

Ordered, That said bills be read the third time.

Mr. J. Benedict, from the committee on the petitions of aliens, to which was referred the petition of Frederick A. Hebeling, an alien, for a law authorising him to hold the office of commissioner of deeds and notary public, reported adversely, and asked to be discharged from the further consideration of the same, which report was agreed to.

Mr. J. Benedict, from the committee on the petitions of aliens, to which was referred the petition of Martin Conner, an alien, for authority to hold and convey real estate, reported adversely to the prayer of the petitioner, which report was agreed to.

Mr. J. Benedict, from the committee on the petitions of aliens, to which was referred the petition of Samuel White, for confirmation of his title in certain real estate, reported, and asked and obtained leave to bring in a bill entitled, "An act to confirm the title of Samuel White, to certain real estate, conveyed to him by Hugh M. Mullen, an alien," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Severance, from the committee on claims, to which was referred the bill entitled, "An act authorising the Canal Appraisers to ascertain and award damages in certain cases," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Severance, from the committee on claims, to which was referred the petition of John J. Ross, for relief, reported adversely, and asked to be discharged from the further consideration of the same, which report was agreed to.

Mr. Severance, from the committee on claims, to which was referred the petition of Jacob Chamberlin, for canal damages, reported adversely, and asked to be discharged from the further consideration of the same, which report was agreed to.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled, as follows:

"An act to change the time of holding the next circuit court, and court of oyer and terminer, appointed to be held in and for the county of Oneida."

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{	AYES	106	}
{	NOES	00	}

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	A. A. Gregory	McLouth	Snell
O. Allen	G. Clark	Greene	Macomber	Southwick
Anthou	J. F. Clark	H. Harris	Maurice	Stevens
Atwood	Coffin	L. Harris	Miles	Stewart
J. W. Babcock	Colvin	Hatch	Minier	Stilwell
Backhouse	Congdon	Heath	Moss	Stratton
Baker	Corser	Hewit	Nelson	Swords
Barnes	Davis	Higby	E. Perry	Speaker
Belknap	Dennison	Hinds	Pool	A. A. Thompson
J. Benedict	Douglass	Horton	Rider	O. C. Thompson
T. H. Benedict	Elderkin	Hoppin	Rockwell	Townsend
Bird	Farr	Ingersoll	Rouse	Tuthill
Bishop	Ferris	Kinsley	Rowe	Underwood
Blackstone	Feller	Kellogg	Rumsey	Varnum
Bottum	Fisk	Lake	W. F. Russell	Wakeman
Bowne	Fitzhugh	Lawyer	Severance	Ward
Bradley	Fordyce	Leggett	Shall	Welden
Briggs	French	Le Roy	Sherman	Wheeler
Bushnell	Gilbert	Lesley	Shultes	Whiteside
Cady	Gleason	Lewis	Siekles	Wright
Campbell	Graham	Lyon	A. Smith	Yeomans
Carrington				

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Ordered, That the Clerk return the said bill to the Senate, with a message informing, that the Assembly had concurred in the said amendments, and amended the same accordingly.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bills entitled as follows :

"An act to reduce the capital stock of the New-York and Virginia steamship company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to authorise the re-appraisal and payment of canal damages to James Folts," which was read the first time, and by unanimous consent, was also read a second time and referred to the committee on claims

"An act to authorise the Butternuts and Oxford turnpike company to abandon a part of their road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to enable the children of George S. Tiffany to take real estate by descent or devise," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend the charter of the village of Dundee," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

The bill entitled, "An act to incorporate the Rome water works company," coming up for a third reading,

Mr. Moss moved to recommit said bill to the committee of the whole.

Mr. Speaker put the question whether the House would agree to

the said motion of Mr. Moss, and it was determined in the affirmative.

"An act in relation to the liberties of jails," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 108 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	G. Clark	H. Harris	Miles	Snell
O. Allen	J. F. Clark	L. Harris	Minier	Southwick
Atwood	Coffin	Hatch	Moss	Stevens
J. W. Babcock	Colvin	Heath	Nelson	Stewart
Backhouse	Congdon	Hewit	Norton	Stilwell
Baker	Corser	Higby	E. Perry	Stratton
Barnes	Davis	Hinds	J. L. Perry	Swords
Belknap	Dennison	Horton	Pool	Speaker
J. Benedict	Douglass	Hoppin	Rider	A. A. Thompson
T. H. Benedict	Elderkin	Ingersoll	Robinson	O. C. Thompson
Bird	Ellwood	Jayne	Rockwell	Townsend
Bishop	Ely	Kinsley	Rouse	Tuthill
Blackstone	Farr	Kellogg	Rowe	Underwood
Bowne	Ferris	Lake	Rumsey	Varnum
Bradley	Feller	Lawyer	W. Russell	Wakeman
Brayton	Fisk	Leggett	Severance	Ward
Briggs	Fordyce	Le Roy	Sherman	Welden
Burroughs	French	Lesley	Shultes	Wheeler
Bushnell	Gilbert	Lewis	Sickles	Whiteside
Campbell	Gleason	McLouth	A. Smith	Wright
Carrington	A. A. Gregory	Macomber	E. T. Smith	Yeomans
Chamberlin	Greene	Maurice		

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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Underwood moved to recommit the bill entitled, "An act to repeal the provisions of the Revised Statutes exempting ministers of the gospel from taxation."

Mr. Tuthill moved to recommit with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Tuthill, and it was determined in the negative.

Mr. Underwood withdrew his motion, and moved to recommit with instructions to strike out the words "is hereby repealed," and add, "shall apply only to a minister of the gospel or priest who is the settled pastor of a congregation"

Mr. J. L. Perry moved to amend the motion by adding the words, "and who is 60 years of age."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. J. L. Perry, and it was determined in the negative.

Mr. Underwood modified his motion by adding, "to a select committee with instructions to report forthwith."

Mr. Macomber moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the main question, it being whether the House would agree to the said motion of Mr. Underwood, and it was determined in the negative.

The said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 90 }
{ NOES 20 }

Those who voted in the affirmative are,

J. W. Babcock	J. F. Clark	Hatch	Miles	E. T. Smith
Backhouse	Coffin	Heath	Minier	Snell
Baker	Colvin	Hewit	Moss	Southwick
Barnes	Congdon	Higby	Nelson	Stevens
Belknap	Davis	Hinds	Norton	Stewart
J. Benedict	Dennison	Horton	J. L. Perry	Stillwell
T. H. Benedict	Douglass	Hoppin	Pool	Stratton
Bird	Doyle	Ingersoll	Rider	Speaker
Bowne	Elderkin	Kinsley	Robinson	A. A. Thompson
Bradley	Ellwood	Kellogg	Rockwell	O. C. Thompson
Brayton	Ely	Lawyer	Rouse	Townsend
Briggs	Farr	Leggett	Rowe	Varnum
Burroughs	Ferris	Le Roy	Rumsey	Ward
Bushnell	French	Lesley	W. F. Russell	Welden
Cady	Gleason	Lewis	Severance	Wheeler
Campbell	A. A. Gregory	Lyon	Shall	Whiteside
Carrington	Greene	McLouth	Sickles	Wright
Chamberlin	H. Harris	Macomber	A. Smith	Yeomans 90

Those who voted in the negative are,

H. J. Allen	Blackstone	Fordyce	Lake	Swords
O. Allen	G. Clark	Gilbert	Maurice	Tuthill
Anthony	Feller	L. Harris	E. Perry	Underwood
Bishop	Fisk	Jayne	Sherman	Wakeman 20

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

On motion of Mr. Wakeman,

Resolved, That the petition and papers on file, in relation to the claim of the heirs of William Gall, deceased, be taken from the files of the House, and referred to the committee on claims.

On motion of Mr. Wakeman,

Resolved, That the committee of the whole be discharged from the further consideration of the bill in relation to the pilots of the

port of New-York, and that the same be referred back to the committee on commerce and navigation, and that the same retain its present number on the general orders.

Mr. Wheeler offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, (If the Senate concur,) That the two Houses of the Legislature proceed on the 4th day of February, 1851, at 12 o'clock at noon, to the election of a United States Senator, in the place of Daniel S. Dickinson, whose term of office will expire on the 4th day of March next.

Ordered, That said resolution be laid upon the table.

Mr. Varnum offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the Governor, the Secretary of State, and the Comptroller, be requested to inform this House, at as early a day as practicable, what progress has been made in the preparation for publication, of the documents referred to in the act entitled, "An act to provide for the publication of certain documents relating to the colonial history of the State, passed March 30, 1849;" also what persons have been employed in selecting, translating and copying the same, and what compensation has been allowed therefor, whether any, and if any, what propositions were at any time made to them, for editing and translating the same, by other persons than those now employed, and what action was taken thereon; what, in the opinion of said officers, will be the probable number of volumes comprising said work, and whether the same may not be materially abridged without prejudice to the objects contemplated by the act.

Ordered, That the said resolution be laid upon the table.

In pursuance of previous notice, Mr. Rouse asked for and obtained leave to introduce a bill entitled, "An act appointing commissioners to lay out a public highway in the towns of Westmorland, Vernon and Verona, in the county of Oneida," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

On motion of Mr. Wakeman,

Resolved, That so much of the report of the Commissary General as relates to an appropriation for the completion and preservation of the State Arsenal at the city of New-York, and for the laying out and improvement of the grounds belonging thereto, and also for the construction of a dwelling and office for the accommodation of the Commissary General, be referred to the committee on ways and means.

Mr. E. Perry offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the remonstrances on file in this House, against extending the New-York auction law to the city of Albany, be taken therefrom and referred to the committee on trade and manufactures.

Ordered, That said resolution be laid upon the table.

Mr. Le Roy offered for the consideration of the House, a resolution, in the words following, to wit :

Resolved, That the usual number of the resolution adopted by this House, referring the different subjects of the Governor's message to committees, be printed for the use of the House.

Ordered, That said resolution be laid upon the table.

In pursuance of previous notice, Mr. Ward asked for and obtained leave to bring in a bill entitled, "An act to incorporate the Broadway savings bank in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

Mr. Robinson offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the committee on agriculture have leave to send for persons and papers to investigate Russell Comstock's claimed discoveries in vegetation, and his system of cultivating crops and plants, and to give him an opportunity to communicate a confidential knowledge of them to each member of the Legislature, to enable the members to vote understandingly.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. Sherman offered for the consideration of the House, a resolution, in the words following, to wit :

Resolved, That the Clerk of the House be required to furnish a suitable room for the use of the committee on claims.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. Feller gave notice that he would, at an early day, ask leave to bring in a bill to prevent the use of money influencing votes at elections.

Mr. Underwood gave notice that he would, at an early day, ask leave to introduce a bill to compel savings banks already chartered or hereafter to be incorporated, to make more perfect and annual reports of their condition to the Legislature.

Mr. Greene gave notice that he would, at an early day, ask leave to introduce a bill to amend the act entitled, "An act to amend an act for the more effectual prevention of fires in the city of New-York, passed April 4, 1849," so as to admit of the use of American cement for roofing purposes.

On motion of Mr. Elderkin,

The House then resolved itself into a committee of the whole on the bill entitled, as follows, to wit:

"An act to extend the time for the collection of taxes."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Le Roy, from said committee, reported that the committee had gone through said bill, and agreed to the same, having amended the title thereof, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

By unanimous consent,

The said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirma-

tive. a majority of all the members elected to the Assembly voting
[over] thereof, as follows :

{ AYES 110 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Carrington	Gleason	Macomber	E. T. Smith
O. Allen	Chamberlin	A. A. Gregory	Maurice	Snell
Anthon	G. Clark	Greene	Miles	Southwick
Atwood	J. F. Clark	H. Harris	Minier	Stevens
J. W. Babcock	Coffin	L. Harris	Moss	Stewart
Backhouse	Colvin	Hatch	Nelson	Stilwell
Baker	Congdon	Heath	Norton	Stratton
Barnes	Corser	Hewit	E. Perry	Swords
Belknap	David	Higby	J. L. Perry	Speaker
J. Benedict	Dennison	Hinds	Pool	A. A. Thompson
T. H. Benedict	Douglass	Horton	Rider	O. C. Thompson
Bird	Dovle	Hoppin	Robinson	Townsend
Bishop	Elderkin	Ingersoll	Rockwell	Tuthill
Blackstone	Ellwood	Kinsley	Rouse	Underwood
Bottum	Ely	Kellogg	Rowe	Varnum
Bowne	Farr	Lake	Rumsey	Wakeman
Bradley	Ferris	Lawyer	W. F. Russell	Ward
Brayton	Feller	Leggett	Severanco	Welden
Briggs	Fisk	Le Roy	Shall	Wheeler
Burroughs	Fitzhugh	Lesley	Shultes	Whiteside
Bushnell	Fordyce	Lewis	Sickles	Wright
Cady	Gilbert	McLouth	A. Smith	Yeomans 110

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

On motion of Mr. Feller,

Leave of absence was granted to Mr. Langdon for one week.

Mr. Underwood moved to lay the present order of business on the table and return to "motions, notices, &c."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Underwood, and it was determined in the negative.

On motion of Mr. Elderkin,

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act to amend an act declaring Rackett river a public highway and regulating the passage of lumber down the same, and regulating the sale of public lands in the vicinity thereof, passed April 10 1850."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Lesley, from said committee, reported that the committee had gone through said bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

The House then resolved itself into a committee of the whole on the bill entitled, as follows, to wit:

"An act to authorise the supervisors of the county of Oneida to levy a tax of \$15,000, for the purpose of building a court house and jail in the city of Utica."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Townsend, from said committee, reported that the committee had gone through said bill, and agreed to the same with amendments, which report was agreed to.

On motion of Mr. Feller,
The House, at two o'clock, adjourned.

THURSDAY, JANUARY 23, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Bowen.

The minutes of yesterday were read and approved.

Mr. LeRoy presented the petition of the trustees of the village of Baldwinsville, for an amendment to their charter, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Ely presented the petition of J. J. Taylor, and 77 other citizens of Tioga co., for the passage of a law to supply a copy of Webster's dictionary to each school district in the State, which was read and referred to the committee on colleges, academies, and common schools.

Mr. Stilwell presented the petition of J. B. Chandler, and 91 others inhabitants of St. Lawrence county, for the repeal of the militia law, which was read and referred to the committee on militia and public defence.

Mr. O. C. Thompson presented the petition of sundry inhabitants of Rensselaer co., to stay the collection of rent in certain cases, which was read and referred to the select committee on that subject.

Mr. Hatch presented the petition of O. G. Culver, and 21 other inhabitants of the town of Oswego, praying for the restoration of road districts, upon the line of plank roads, which was read and referred to the committee on roads and bridges.

Mr. Burroughs presented the petition of 225 inhabitants of the town of Yates, Orleans co., for the repeal of the law exempting ministers of the gospel from taxation, which was sent to the Senate with the other papers.

Mr. J. L. Perry presented the petition of R. H. Walworth, and others, for the passage of an act furnishing each school district a copy of Webster's dictionary, at the expense of the State, which was read and referred to the committee on colleges, academies, and common schools.

Mr. Hatch presented the petition of Thos. E. Buchanan, & Henry Card, for relief, under a certain contract, which was read and referred to the committee on grievances.

Mr. Southwick presented the petition of 119 inhabitants of Sene-

ca co., for repeal of the free school law, and for other purposes, which was read and referred to the committee on colleges, academies and common schools.

Mr. LeRoy presented the petition of Pat. McGuire, of Jordan, Onondaga co., for a change of name, which was read and referred to the committee on the judiciary.

Mr. Gleason presented the petition of 81 citizens of the county of Rensselaer, for the passage of an act staying the collection of rents on manorial lands, pending the actions on behalf of the State, to test the titles thereof, which was read and referred to the select committee on that subject.

Mr. Underwood presented the petition of 24 citizens of Springport, Cayuga co., to prohibit the sale of intoxicating liquors as a beverage, which was read and referred to the select committee on that subject.

Mr. Heath presented the petition of Culver Patterson, John L. Gray, and 17 others, for relief, which was read and referred to the committee on grievances.

Mr. Cooper presented the remonstrance of sundry inhabitants of Greene co., against the re-organization of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Kinsley presented several petitions of inhabitants of the town of Ashland, Greene co., for the erection of a new county, from parts of Greene, Delaware, and Schoharie, which was read and referred to the committee on the erection and division of towns and counties.

Mr. T. H. Benedict presented the petition of the teachers association, of the county of Tioga, for the passage of a law authorising the purchase of Webster's dictionary by the trustees of each school district in the State, which was read and referred to the committee on colleges, academies, and common schools.

Mr. Varnum presented the remonstrance of merchants and insurance companies, of New-York city, against the passage of any pilot laws, which was read and referred to the committee on commerce and navigation.

Mr. H. Harris presented the memorial and petition of inhabitants of Albany, in relation to the redemption of bank notes, which was read and referred to the committee on banks and insurance companies.

Mr. Bottum presented the petition of citizens of Galen, Wayne co., for a recharter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. Graham presented the petition of Michael Riggs and 120 others inhabitants of the town of Lodi, Seneca county, for a repeal of the free school law, which was read and referred to the committee on colleges, academies and common school.

Mr. Bottum presented the petition of citizens of Galen, Wayne co., for a division of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Douglass presented the petition of the president and directors

of the Chautauque central plank road company, for leave to borrow money, which was read and referred to the committee on roads and bridges.

Mr. Underwood presented the petition of 98 citizens of Springport, Cayuga co., for the renewal of the charter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. Yeomans presented three petitions of citizens of Wayne co., for a division of said county, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Jayne presented the petition of sundry inhabitants of Dundee, against any alteration of their charter, which was read and referred to the committee on the incorporation of cities and villages.

Mr. E. Perry presented the memorial and petition of merchants, traders, mechanics, and workingmen of the city of Albany, in relation to the redemption of bank notes at par, in the city of New-York, which was read and referred to the committee on banks and insurance companies.

Mr. Burroughs presented the memorial of the State agricultural society, for the establishment of an agricultural school, and experimental farm, which was read and referred to the committee on agriculture.

Mr. J. F. Clark presented the petition of 101 inhabitants of Onondaga county, for a reduction of fare on railroads, between Albany and Buffalo, to two cents per mile, which was read and referred to the committee on railroads.

Mr. Miles presented the memorial of Genesee college, and petition of sundry inhabitants of Steuben co., for an appropriation of moneys for the improvement and support of said college, which was read and referred to the committee on colleges, academies and common schools.

Mr. Shultes presented the petition of Henry G. Wheaton, and 347 others, citizens of Albany, against extending the New-York auction law, to the city of Albany, which was read and referred to the committee on the judiciary.

Mr. Underwood presented the petition of 23 citizens of Springport, Cayuga co., to prohibit the sale of intoxicating liquors as a beverage, which was read and referred to the select committee on that subject.

Mr. Rouse presented the petition of the trustees of Hamilton college, asking for an appropriation for the benefit of said college, which was read and referred to the committee on colleges, academies and common schools.

Mr. Speaker announced as the select committee on the petitions of citizens of Montgomery co., for a bill to stay the collection of rents on manorial lands the title to which is disputed on behalf of the State, Messrs. Gleason, Burroughs, J. Benedict, Heath and Maurice.

Mr. Burroughs asked to be excused from serving on such committee, which request was granted, and Mr. LeRoy was substituted.

Mr. O. Allen, from the committee on canals, to which was referred the petition of James L. Sexton, of Big Flats, for damages caused by the overflow of the Chemung canal feeder, reported the following resolution, to wit :

Resolved, That the petitioner have leave to withdraw said petition, and the committee be discharged from its further consideration.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. O. Allen, from the committee on canals, to which was referred the petition of Joseph Lowe, of Big Flats, for a bridge across the Chemung feeder, reported adversely, and asked to be discharged from the further consideration of the same, which report was agreed to.

Mr. O. Allen, from the committee on canals, to which was referred the petition of John W. Dunham, of Painted Post, in Steuben co., for a bridge across the Chemung canal feeder, reported adversely, and asked to be discharged from the further consideration of the same, which report was agreed to.

Mr. Lesley, from the committee on roads and bridges, to which was referred the bill from the Senate entitled, "An act to authorise the Butternuts and Oxford turnpike company to abandon a part of their road," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the bill entitled, "An act appointing commissioners to lay out a public highway in the towns of Westmoreland, Vernon and Verona, in the county of Oneida," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Backhouse, from the committee on grievances, to which was referred the petition of Lewis W. Beecher and Wm. H. C. Hosmer, for relief, reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of Lewis W. Beecher and Wm. H. C. Hosmer," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition for that purpose, reported, and asked and obtained leave to bring in a bill entitled, "An act in relation to the attendance of grand jurors at courts of sessions in the county of Chenango," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to confirm the official acts of Isaac E. Beecher, a justice of the peace," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Macomber, from the committee on state prisons, to which was referred so much of the Governor's message as relates to state prisons, reported the bill entitled, "An act making appropriations for the state prisons at Sing Sing and Clinton," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Macomber, from the committee on state prisons, to which was referred so much of the Governor's message as relates to state prisons, reported the bill entitled, "An act in relation to the state prisons of this State and the prison farm at Sing Sing," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the petition of Russell B. Burch, for relief, reported, and asked and obtained leave to bring in a bill entitled, "An act to pay Russell B. Burch for costs and expenses incurred by him, in consequence of retaining certain school moneys, while acting as school commissioner for the town of New-Berlin," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the bill entitled, "An act making an appropriation for St. Lawrence academy, discharging a mortgage upon its academy buildings, held by the State, on which is due an arrearage of interest," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Stevens, from the committee on the manufacture of salt, to which was referred the bill entitled, "An act to authorise the Commissioners of the Land office, to sell certain lands belonging to the people of this State, situated in the city of Syracuse, and to purchase other lands," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Blackstone, from the committee on claims, to which was referred the bill from the Senate entitled, "An act to authorise the appraisal and payment of canal damages to James Folts," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend an act entitled, 'An act declaring Racket river a public highway, and regulating the passage of lumber down

the same, and regulating the sale of public lands in the vicinity thereof.”

“An act to authorise the board of supervisors of the county of Oneida, to levy a tax of \$15,000, for the purpose of building a court house and jail, in the city of Utica.”

Ordered, That said bills be read the third time.

Mr. Severance, from the committee on claims, to which was referred the bill entitled, “An act to provide for the equitable settlement of the claims of Stiles Johnson, and Norman Butler, on their canal contracts,” reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Wakeman, from the committee on commerce and navigation, to which was referred the bill from the Senate entitled, “An act to reduce the capital stock of the New-York and Virginia steamship company,” reported that the committee had examined said bill, and saw no reason why the same, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Bird, from the committee on the internal affairs of towns and co's, to which was referred the petition of sundry inhabitants of the town of Seward, Schoharie co., asking for a law changing the place of holding the next town meeting, reported, and asked and obtained leave to bring in a bill entitled, “An act to change the place of holding the annual town meeting of the town of Seward, county of Schoharie, for the year 1851,” which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled, “An act for the relief of the trustees and inhabitants of union school district No. 5, in the village of Bath.”

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 106 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Carrington	Gilbert	McLouth	Siekles
O. Allen	Chamberlin	Gleason	Macomber	A. Smith
Antho	G. Clark	Graham	Maurice	E. T. Smith
Atwood	J. F. Clark	A. A. Gregory	Miles	Snell
R. Babcock	Coffin	Greene	Minier	Southwick
J. W. Babcock	Colvin	H. Harris	Moss	Stevens
Baker	Cooke	L. Harris	Nelson	Stewart
Barnes	Congdon	Hatch	E. Perry	Stilwell
Belknap	Corser	Heath	J. L. Perry	Stratton
J. Benedict	Dennison	Higby	Pool	Swords

T. H. Benedict	Douglass	Hinds	Rider	Speaker
Bird	Doyle	Hoppin	Rockwell	A. A. Thompson
Bishop	Elderkin	Ingersoll	Rouse	O. C. Thompson
Blackstone	Ellwood	Jayne	Rowe	Tuthill
Bottum	Ely	Kinsley	Rumsey	Varnum
Bowne	Farr	Kellogg	W. Russell	Wakeman
Bradley	Ferris	Lake	W. F. Russell	Ward
Brayton	Feller	Lawyer	Ryan	Welden
Burroughs	Fisk	Le Roy	Severance	Whiteside
Bushnell	Fitzhugh	Lesley	Shall	Wright
Cady	Fordyce	Lyon	Shultes	Yeomans
Campbell				

106

Ordered, That the Clerk return the said bill to the Senate, with a message informing, that the Assembly had concurred in the said amendments, and amended the same accordingly.

The Senate returned the bill entitled, "An act to change the time of holding the next circuit court and court of oyer and terminer appointed to be held in and for the county of Oneida."

Ordered, That the Clerk deliver said bill to the Governor.

The bill entitled, "An act to authorise the supervisors of the county of Oneida to levy a tax of \$15,000, for the purpose of building a court house and jail in the city of Utica," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	Graham	Maurice	Snell
O. Allen	G. Clark	A. A. Gregory	Miles	Southwick
Anthon	J. F. Clark	W. S. Gregory	Moss	Stevens
Atwood	Coffin	H. Harris	Nelson	Stewart
R. Babcock	Colvin	L. Harris	E. Perry	Stilwell
J. W. Babcock	Cooke	Hatch	J. L. Perry	Stratton
Backhouse	Congdon	Heath	Pool	Swords
Belknap	Corser	Higby	Rider	Speaker
J. Benedict	Dennison	Hinds	Robinson	A. A. Thompson
T. H. Benedict	Douglass	Hoppin	Rockwell	O. C. Thompson
Bird	Elderkin	Ingersoll	Rouse	Townsend
Blackstone	Ellwood	Jayne	Rowe	Tuthill
Bottum	Farr	Kinsley	Rumsey	Varnum
Bowne	Ferris	Kellogg	W. Russell	Wakeman
Bradley	Feller	Lake	W. F. Russell	Ward
Brayton	Fisk	Lawyer	Ryan	Welden
Briggs	Fitzhugh	Leggett	Severance	Wheeler
Burroughs	Fordyce	Le Roy	Shall	Whiteside
Bushnell	French	Lesley	Shultes	Wright
Cady	Gilbert	McLouth	Sickles	Yeomans
Campbell	Gleason	Macomber	A. Smith	

104

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend an act declaring Rackett river a public highway and regulating the passage of lumber down the same,

and regulating the sale of public lands in the vicinity thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Coffin	Gleason	Macomber	A. Smith
O. Allen	Colvin	Graham	Maurice	E. T. Smith
Anthou	Cooke	A. A. Gregory	Miles	Snell
Atwood	Congdon	W. S. Gregory	Moss	Southwick
J. W. Babcock	Corser	Greene	Nelson	Stevens
Backhouse	Davis	H. Harris	E. Perry	Stewart
Baker	Dennison	Hatch	J. L. Perry	Stillwell
Barnes	Douglass	Heath	Pool	Stratton
Belknap	Doyle	Hewit	Rider	Swords
J. Benedict	Elderkin	Hinds	Robinson	Speaker
T. H. Benedict	Ellwood	Hoppin	Rockwell	O. C. Thompson
Bird	Ely	Ingersoll	Rouse	Townsend
Blackstone	Farr	Jayne	Rowe	Tuthill
Bowne	Ferris	Kinsley	Rumsey	Varnum
Bradley	Feller	Kellogg	W. Russell	Ward
Brayton	Fisk	Lake	Ryan	Welden
Briggs	Fitzhugh	Lawyer	Severance	Wheeler
Cady	Fordyce	Leggett	Shall	Whiteside
Campbell	French	Le Roy	Shultes	Wright
G. Clark	Gilbert	Lesley	Sickles	Yeomans
J. F. Clark				

101

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

In pursuance of previous notice, Mr. J. Benedict asked for and obtained leave to introduce a bill entitled, "An act to extend and amend the act to incorporate the firemen of the city of Utica, passed April 26, 1833," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. J. Benedict asked for and obtained leave to introduce a bill entitled, "An act to provide for the incorporation of mutual loan and building associations," which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. A. A. Thompson,

The House proceeded to the consideration of the resolutions heretofore offered by him, relative to the Union and the compromise measures of Congress.

Mr. J. Benedict moved to refer said resolutions to the committee on the judiciary.

Mr. A. A. Thompson moved to amend by adding, "with instructions to report thereon on Tuesday next."

Mr. Tuthill moved to adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Tuthill, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the said amendment, and it was determined in the negative.

{ AYES 55 }
{ NOES 60 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Bushnell	Elderkin	Lewis	Sickles
O. Allen	Cady	Ferris	Lyon	E. T. Smith
Anthon	Campbell	Fitzhugh	Maurice	Snell
Atwood	G. Clark	French	Minier	Stewart
R. Babcock	J. F. Clark	W. S. Gregory	E. Perry	Stilwell
Backhouse	Colvin	Greene	Rider	Stratton
Barnes	Cooke	Hatch	Robinson	Swords
Bird	Congdon	Higby	Rockwell	A. A. Thompson
Blackstone	Davis	Jayne	W. Russell	O. C. Thompson
Bowne	Dennison	Kinsley	W. F. Russell	Varnum
Burroughs	Doyle	Lawyer	Ryan	Wright 55

Those who voted in the negative are,

J. W. Babcock	Coffin	H. Harris	Miles	Southwick
Baker	Corser	L. Harris	Moss	Stevens
Belknap	Douglass	Heath	Nelson	Speaker
J. Benedict	Ellwood	Hewit	J. L. Perry	Townsend
T. H. Benedict	Ely	Hinds	Pool	Tuthill
Bishop	Farr	Hoppin	Rouse	Underwood
Bottom	Feller	Ingersoll	Rowe	Wakeman
Bradley	Fisk	Kellogg	Rumsey	Ward
Brayton	Gilbert	Lake	Severance	Welden
Briggs	Gleason	Lesley	Shall	Wheeler
Carrington	Graham	McLouth	Shultes	Whiteside
Chamberlin	A. A. Gregory	Macomber	A. Smith	Yeomans 60

Mr. H. J. Allen moved that the said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. H. J. Allen, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. J. Benedict, and it was determined in the affirmative.

Mr. Townsend gave notice that at an early day, he would ask leave to introduce a bill entitled, "An act to amend article 1, title 3, chapter 7, part 3, of the Revised Statutes, entitled, 'Of taking conditionally, the testimony of witnesses within this State.'"

Mr. Townsend gave notice that at an early day, he would ask leave to introduce a bill entitled, "An act to amend title 1, chapter 9, part 1, of the Revised Statutes, entitled, 'Of the general fund, and the expenditures chargeable thereon.'"

Mr. J. Benedict gave notice that he would at an early day, ask leave to introduce a bill to renew the charter of the New-York mills fire company.

On motion of Mr. J. Benedict,

Resolved, That the petition of the education and missionary board of the Protestant Episcopal church, be re-committed to the committee on charitable and religious societies.

Mr. J. F. Clark gave notice that on some future day, he would ask leave to introduce a bill for making side-walks on turnpike and plank roads, in this State.

On motion of Mr. Varnum,

The House proceeded to the consideration of the resolution heretofore offered by Mr. LeRoy, in the words following, to wit :

Resolved, That the usual number of the resolution adopted by this House, referring the different subjects of the Governor's message to committees, be printed for the use of the House.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Varnum,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the Governor, the Secretary of State, and the Comptroller, be requested to inform this House, at as early a day as practicable, what progress has been made in the preparation for publication, of the documents referred to in the act entitled, "An act to provide for the publication of certain documents relating to the colonial history of the State, passed March 30, 1849;" also what persons have been employed in selecting, translating and copying the same, and what compensation has been allowed therefor, whether any, and if any, what propositions were at any time made to them, for collecting and translating the same, by other persons than those now employed, and what action was taken thereon; what, in the opinion of said officers, will be the probable number of volumes comprising said work, and whether the same may not be materially abridged without prejudice to the objects contemplated by the act.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. Robinson,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit:

Resolved, That the committee on agriculture have leave to send for persons and papers to investigate Russell Comstock's claimed discoveries in vegetation, and his system of cultivating crops and plants, and to give him an opportunity to communicate a confidential knowledge of them to each member of the Legislature, to enable the members to vote understandingly.

On motion of Mr. Higby,

Ordered, That said resolution be laid upon the table.

Mr. Varnum offered for the consideration of the House, resolutions in the words following, to wit :

Resolved, (If the Senate concur,) That the Legislature of the State of New-York cordially responds to the patriotic sentiments, and wise counsels contained in the last annual message of the President of the United States.

Resolved, (If the Senate concur,) That the series of measures passed at the last session of Congress, with the view of healing sectional differences, though not free from imperfections, do yet, in their mutual dependence and connection, form a system of compromise, the best that could be obtained from conflicting interests and opinions, and, under all the circumstances, well adapted to conciliate and harmonise; that they ought to be regarded as a settlement, in principle and in substance, of the dangerous and exciting subjects which they embrace, and as such, should be acquiesced in, until time and experience shall demonstrate the necessity of further legislation, to guard against evasion and abuse.

Resolved, (If the Senate concur,) That the people of the State of New-York are now, as they have ever been, sincerely attached to the union of the States; that they regard the Constitution of the United States, as the palladium of political safety and prosperity; that they will faithfully adhere to it in all its parts, execute its stipulations, and maintain and defend its compromises, and that, without reference to the past, it is their earnest desire, as it will be their effort, that amity may be established amongst the States, upon firm and lasting foundations, harmony preserved in the national councils, and our glorious Union made perpetual.

Resolved, (If the Senate concur,) That the Governor be requested to transmit a copy of these resolutions to the President of the United States, the Governors of the several States, and the Senators and Representatives in Congress from this State.

Ordered, That the said resolutions be laid upon the table.

On motion of Mr. Wheeler, and by unanimous consent,

The House then resolved itself into a committee of the whole on the bill entitled, as follows, to wit:

"An act authorising the expenditure of a portion of the proceeds of the sale of the arsenal, and arsenal lot in the village of Malone, for the purpose of improving the arsenal green in said village."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Robinson, from said committee, reported that the committee had gone through said bill, and agreed to the same without amendments, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

On motion of Mr. Ward,

The House, at 5 minutes past 2 o'clock, adjourned.

FRIDAY, JANUARY 24, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Campbell.

The minutes of yesterday were read and approved.

Mr. Underwood presented the petition of Alex. Thompson and others, citizens of Aurora, for an agricultural college and experimental farm, which was read and referred to the committee on agriculture.

Mr. Underwood presented the memorial of the trustees of the Auburn academy, for a grant or release to said academy of a piece of land owned by the State in the city of Auburn and adjoining said academy, which was read and referred to the committee on public lands.

Mr. Underwood presented the petition of M. S. Myers and 32 others of Cayuga co., for a renewal of the charter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. Cooke presented the remonstrance against the erection of a new county from parts of Delaware, Schoharie and Greene, which was read and referred to the committee on the erection and division of town and counties.

Mr. Bird presented the petition of Asa D. Wood & Co., for relief under a canal contract, which was read and referred to the committee on claims.

Mr. O. Allen presented the remonstrance of 100 citizens of Buffalo, against the repeal of the law making the clerk's office of the county of Erie a salaried office, which was read and referred to the select committee consisting of the Erie co. delegation.

Mr. Wakeman presented the petition of 138 citizens, officers and members of eight different building associations located in the city of New-York and the counties adjacent thereto, for a general act of incorporation, which was read and referred to the committee on the judiciary.

Mr. Miles presented three several petitions of sundry inhabitants of Steuben co., for an act that the courts be held alternately at Addison and Bath in said county, which were read and referred to the committee on the internal affairs of towns and counties.

Mr. Carrington presented the remonstrance of the tax-payers of Steuben co., against Addison being made a half shire-town of said co., or any other division of such county, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Bottum presented the remonstrance of the citizens of Galen, against a division of Wayne co., which was read and referred to the committee on the erection and division of towns and counties.

Mr. Farr presented the petition of David Rice, of Fort Ann, Wash-co., as administrator of the estate of his father, David Rice, deceased, for relief on account of great deficiency in the quantity of land in lot No. 34, of Westfield tract, in said town, which was read and referred to the committee on grievances.

Mr. Nelson presented the petition of sundry inhabitants of Cattaraugus co., praying for a law to equalize taxation, which was read and referred to the select committee on that subject.

Mr. Horton presented the petition of 60 citizens of Russell, St. Lawrence co., for the repeal or modification or amendment of the militia law of this State, which was read and referred to the committee on militia and public defence.

Mr. Moss presented the petition of Wm. S. Young and O. S. Phelps, for a charter for a canal from Cayuga creek above the Falls

of Niagara to Lewiston, which was read and referred to the committee on canals.

Mr. Douglass presented the petition of the president and secretary of the Chautauque county mutual insurance company, for an extension of their charter, which was read and referred to the committee on banks and insurance companies.

Mr. Higby presented the remonstrance of 101 citizens of Steuben co., against a law making Addison a half shire town, also against any division of said co., which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Heath presented the petition of James Stewart, for an act for ascertaining and determining damages for the non-performance of a certain contract by the State and the payment thereof, which was read and referred to the committee on claims.

Mr. Fitzhugh presented the petition of the supervisors of Monroe co., to designate the papers in said county for publication of election notices, which was read and referred to the committee on the judiciary.

Mr. Fitzhugh presented the petition of the supervisors of Monroe co., for amendment of election law, which was read and referred to the committee on privileges and elections.

Mr. O. Allen presented the petition from a committee of the faculty of the medical department of the University of Buffalo, for an appropriation to that institution, which was read and referred to the committee on medical societies and colleges.

Mr. Doyle presented the remonstrance of inhabitants of Delhi, Delaware co., against any alteration of the bounds of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Doyle presented the petition of inhabitants of Tompkins, and Hancock, Delaware county, to renew or revive the act entitled, "An act to appoint commissioners to lay out a road from Cannonsville, in the town of Tompkins, in the county of Delaware, to Shehocking, in the town of Hancock, in said county, passed April 19, 1828," which was read and referred to the committee on roads and bridges.

Mr. Hewit presented the petition of W. W. Kingsland, and 249 others, inhabitants of Keeseville, for a law prohibiting the sale of spirituous liquors, which was read and referred to the select committee on that subject.

Mr. A. A. Thompson presented the petition of McDonald & Nichols, for relief under a canal contract, which was read and referred to the committee on claims.

Mr. J. Babcock presented the petition of Dr. Barent P. Staats, and 371 citizens of Albany, against extending the New-York auction law to the city of Albany, which was read and referred to the committee on trade and manufactures.

Mr. Moss presented the petition of citizens of Niagara county, declaring valid, the proceedings of the superintendents of the poor, of said county, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. W. F. Russell presented two petitions of sundry individuals of

Saugerties, Woodstock, and Shandakin, to annul that portion of the Saugerties and Woodstock turnpike road, west of, or beyond the Dutch reformed church, in the village of Woodstock, which was read and referred to the committee on roads and bridges.

Mr. Heath presented the petition of David Rogers for an act to ascertain and determine the damages for the non-performance of a certain contract by the State, and the payment thereof, which was read and referred to the committee on claims.

Mr. Fitzhugh presented the petition of supervisors of Monroe co., for an act to authorise the common council of Rochester, to widen the alley to the jail, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Minier presented the petition of Erastus Crandle, and 140 others, of Chemung county, for the repeal of the present school law, which was read and referred to the committee on colleges, academies, and common schools.

Mr. Douglass presented the petition of electors of Chautauque co., for a law to furnish Websters' large dictionary to the several school districts in the State, which was read and referred to the committee on colleges, academies, and common schools.

Mr. LeRoy presented the petition of the Fort Brewerton bridge company, for relief, which was read and referred to the committee on canals.

Mr. Bottum presented five remonstrances of sundry citizens of Wayne co., against a division thereof, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Wakeman presented the petition of sundry citizens of the city of New-York, for the abolition of the death penalty, which was read and referred to the select committee on that subject.

Mr. Fitzhugh presented the petition of supervisors of Monroe co., to abolish the office of recorder of the city of Rochester, which was read and referred to the committee on the judiciary.

Mr. W. S. Gregory presented the petition of Wm. V. Barr, and 75 other citizens of New-York city, praying for land limitation, and homestead exemption, which was read and referred to the committee on public lands.

Mr. Bottum presented 5 petitions of citizens of Wayne co., for a division of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Bottum presented the petition of inhabitants of Bath, Wayne co., for recharter of Sodus canal company, which was read and referred to the committee on canals.

Mr. Bottum presented a remonstrance against the division of Wayne co., by 170 citizens of the towns of Arcadia and Sodus, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Bottum presented the petition of inhabitants of Galen, Wayne co., for a division of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Macomber presented the petition of 256 citizens of this State

praying for a limitation of land to be acquired by any individual, to 160 acres, and for the exemption of a homestead and land to that amount, which was read and referred to the committee on public lands.

Mr. Speaker announced as the select committee on the petitions to prohibit the sale of intoxicating liquors as a beverage: Messrs. Chamberlin, Horton, Fordyce, Ryan, Barnes.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act authorising the expenditure of certain moneys, for the improvement of the arsenal green, in the village of Malone, in the county of Franklin."

Ordered, That said bill be read the third time.

Mr. Brayton from the committee on agriculture, to which was referred so much of the Governor's message as relates to the establishment of an agricultural college, reported, and asked and obtained leave to bring in a bill entitled, "An act to establish the agricultural college of the State of New-York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of Pat. McGuire, of Jordan, Onondaga county, for a change of name, reported adversely to the prayer of the petitioner, and offered for the consideration of the House, a resolution, in the words following, to wit:

Resolved, That the petitioner have leave to withdraw his said petition.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act submitting the claim of Daniel Cornell, and Ransom Clark, of the town of Guilford, in the county of Chenango, to the electors of said town," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend the act entitled, 'An act to exempt from sale on execution, the homestead of a householder, having a family,' passed April 10, 1850," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to extend and amend the act entitled, 'An act to incorporate the firemen of the city of Utica,' passed April 26, 1833," reported that the committee had examined said bill, and saw no reason why the same, should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to authorise the formation of savings banks, and to regulate the same," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Hatch, from the committee on claims, to which was referred the petition of Barnes & Hinman, for damages consequent upon the breaking of the Erie canal, in the town of Whitestown, Oneida co., in the year 1840, reported adversely, and offered for the consideration of the House a resolution in the words following, to wit :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Severance, from the committee on claims, to which was referred the petition and papers of O. G. Rosecrantz, reported, and offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the petitioner have leave to withdraw his petition, and that the committee be discharged from the further consideration of the same.

Mr. Severance called for a division of the question, on the resolution.

Mr. Speaker put the question whether the House would agree to the first clause of the resolution: "that the petitioner have leave to withdraw his petition," and it was determined in the negative.

Mr. Speaker then put the question on the second clause of the resolution: "that the committee be discharged from the further consideration of the same," and it was determined in the affirmative.

Mr. Backhouse, from the committee on grievances, to which was referred the petition of A. Osborn, for relief, reported for the consideration of the House, a resolution, in the words following, to wit:

Resolved, That the committee be discharged from the further consideration of the petition of A. Osborn, and the same be referred to the committee on claims.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Varnum, from the select committee consisting of the New-York delegation, to which was referred the memorial of the mayor, aldermen, and commonalty of the city of New-York, for the passage of an act fixing the eastern exterior line of the city between 18th and 23d streets, reported, and asked and obtained leave to bring in a bill entitled, "An act to fix the eastern exterior line of the city of N. Y. between 18th and 23d streets," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Cady, from the select committee consisting of the Kings co., delegation, to which was referred the bill entitled, "An act relative to

the sheriff of the county of Kings," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Speaker presented a communication enclosing the report from the joint committee of the Senate and Assembly, appointed to examine the accounts of the Treasury and Canal Departments, and to examine into the condition of the Banking Department.

Mr. H. J. Allen offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That three times the usual number of report of the joint committee to examine the accounts of the Treasurer, Banking and Canal departments, be printed for the use of the Legislature, 250 for the Treasurer, 250 for the Banking Department, and 250 for the Canal Department.

Ordered, That the said resolution be referred to the committee on printing.

Mr. Speaker presented the annual report of the Commissioners of the Canal Fund and the annual report of the Auditor of the Canal Department.

On motion of Mr. O. Allen,

Resolved, That there be printed the usual number of the annual report of the Commissioners of the Canal Fund for the use of the Legislature, and five hundred copies for the use of the Canal Department.

The following concurrent resolution was received from the Senate, to wit :

Resolved, (If the Assembly concur,) That the code of civil procedure, reported in 1850 by the commissioners on practice and pleadings, together with the act entitled, "An act to amend the act entitled, 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this state,' passed April 12, 1848," which amendatory act was passed April 11, 1849, be referred to a joint select committee to report on or before the 15th day of March next, that such committee shall consist of three members of the Senate, and five of the Assembly, who shall have leave to sit from day to day during the session of the Legislature, and that said committee be empowered to invite before them, and confer with the said commissioners and other persons, if they shall deem it necessary, at such time or times as may be deemed expedient.

Ordered, That in case the Assembly concur in said resolution, that Messrs. Mann, Geddes and Stanton, be of such committee on the part of the Senate.

Ordered, That said resolution be laid upon the table.

A message from the Senate was received and read, informing that they had passed without amendment, the bill entitled, as follows:

"An act to authorise the trustees of union school district number five, in the village of Bath, in the county of Steuben, to raise money by tax."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bills entitled as follows :

"An act in relation to the election of directors of the Union bridge company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorise the election of an additional supervisor in the city of Schenectady," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

The bill entitled, "An act authorising the expenditure of certain moneys for the improvement of the arsenal green, in the village of Malone, in the county of Franklin," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 106 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	W. S. Gregory	McLouth	E. T. Smith
O. Allen	J. F. Clark	Greene	Macomber	Snell
Antho	Coffin	H. Harris	Maurice	Southwick
Atwood	Colvin	L. Harris	Miles	Stevens
R. Babcock	Cooke	Hatch	Minier	Stewart
J. W. Babcock	Congdon	Heath	Moss	Stilwell
Backhouse	Corser	Hewit	Nelson	Stratton
Baker	Davis	Higby	J. L. Perry	Swords
Barnes	Dennison	Horton	Pool	Speaker
Belknap	Douglass	Hoppin	Robinson	A. A. Thompson
J. Benedict	Doyle	Ingersoll	Rockwell	O. C. Thompson
T. H. Benedict	Elderkin	Jayne	Rouse	Townsend
Blackstone	Ely	Kinsley	Rowe	Tuthill
Bottum	Farr	Kellogg	Rumsey	Underwood
Bowne	Ferris	Lake	W. Russell	Varnum
Bradley	Feller	Lawyer	W. F. Russell	Wakeman
Brayton	Fisk	Leggett	Ryan	Ward
Briggs	Fordyce	Le Roy	Severance	Welden
Bushnell	Gleason	Lesley	Shultes	Wheeler
Cady	Graham	Lewis	Siekles	Whiteside
Campbell	A. A. Gregory	Lyon	A. Smith	Wright
Carrington				

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act in relation to the supervisors of the city of Brooklyn, county of Kings," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Carrington	Graham	Lesley	A. Smith
O. Allen	Chamberlin	A. A. Gregory	Lewis	Snell
Anthon	J. F. Clark	W. S. Gregory	Lyon	Southwick
Atwood	Coffin	Greene	McLouth	Stevens
R. Babcock	Colvin	H. Harris	Macomber	Stewart
J. W. Babcock	Cooke	L. Harris	Miles	Stilwell
Backhouse	Congdon	Hatch	Minier	Stratton
Baker	Corser	Heath	Moss	Swords
Belknap	Davis	Hewit	Nelson	Speaker
J. Benedict	Dennison	Higby	E. Perry	A. A. Thompson
T. H. Benedict	Douglass	Horton	J. L. Perry	O. C. Thompson
Blackstone	Doyle	Hoppin	Pool	Townsend
Bottum	Elderkin	Ingersoll	Rockwell	Tuthill
Bowne	Ely	Jayne	Rouse	Underwood
Bradley	Farr	Kinsley	Rumsey	Wakeman
Brayton	Ferris	Kellogg	W. F. Russell	Ward
Briggs	Feller	Lake	Ryan	Welden
Bushnell	Fitzhugh	Lawyer	Severance	Wheeler
Cady	Fordyce	Leggett	Shultes	Whiteside
Campbell	Gleason	Le Roy	Sickles	Wright 100

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Lake offered for the consideration of the House, a resolution, in the words following, to wit :

Resolved, That ten times the usual number of the report of the agricultural committee, with the accompanying bill, be printed.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

In pursuance of previous notice, Mr. Townsend asked for and obtained leave to introduce a bill entitled, "An act to amend art. 1st, title 3d, chap. 7, part 3d, of the Revised Statutes, entitled, 'Of taking conditionally the testimony of witnesses within this State,'" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Baker asked for and obtained leave to introduce a bill entitled, "An act to abolish capital punishment and to provide for the more effectual punishment of the crime of murder," which was read the first time and by unanimous consent was also read the second time, and referred to the select committee on that subject.

Mr. Blackstone offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the petition and papers on file, in relation to the claim of James Hay, be taken from the files and referred to the committee on ways and means.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

In pursuance of previous notice, Mr. Hewit asked for and obtained leave to introduce a bill entitled, "An act to incorporate the Northern New-York live stock insurance company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

In pursuance of previous notice, Mr. Stevens asked for and obtained leave to introduce a bill entitled, "An act to enlarge the jurisdiction of the county courts of the several counties of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Bird asked for and obtained leave to bring in a bill entitled, "An act to facilitate the construction of the Lewiston railroad, and to authorise the Buffalo and Niagara Falls railroads co. and the Lewiston railroad co. to unite in one company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. W. F. Russell asked for and obtained leave to introduce a bill entitled, "An act relating to the election of town auditors of town accounts, and their duties," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

Mr. J. Benedict gave notice that he would, at an early day, ask leave to introduce a bill to amend the charter of the city of Utica.

Mr. J. Benedict offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That on and after Monday, the 27th inst., this House will meet at ten o'clock in the forenoon.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. Lesley gave notice that he would at an early day, ask leave to introduce a bill to amend the act in relation to free schools in Troy, and school district number 10, in Lansingburgh, &c.

Mr. Backhouse gave notice that he would at an early day, ask leave to introduce a bill authorising William Beard, and others, to construct and build docks in the sixth ward of the city of Brooklyn.

Mr. Macomber gave notice that he would at some future day, ask leave to introduce a bill, for the taking of appeals in suits in equity, pending in the supreme court, on the first day of July, 1847.

Mr. Varnum gave notice of his intention to ask leave to introduce a bill to amend the Revised Statutes, by inserting a new chapter, for the better securing of mechanics and others, in the erection or repair of buildings, and to repeal all existing laws on that subject.

Mr. Robinson offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That a select committee of three be appointed to investigate Russell Comstock's alleged discovery in the physiology of vegetation, and his system of cultivation, and the chairman requested to send for him, to give him an opportunity to communicate a confidential knowledge of them to each member of the Legislature, to enable the members to vote understandingly.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. LeRoy gave notice that he would, hereafter, ask leave to introduce a bill in relation to the powers and duties of assessors.

Mr. Burroughs moved that the House proceed to the consideration of the resolution heretofore offered by Mr. Robinson, in the words following, to wit:

Resolved, That the committee on agriculture have leave to send for persons and papers to investigate Russell Comstock's claimed discoveries in vegetation, and his system of cultivating crops and plants, and to give him an opportunity to communicate a confidential knowledge of them to each member of the Legislature, to enable the members to vote understandingly.

Mr. Higby moved to lay the motion of Mr. Burroughs on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Higby, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

Mr. Burroughs moved to amend said resolution, by striking out all after the word "Resolved," and inserting the following:

"That a select committee of three be appointed to investigate Russell Comstock's alleged discovery in the physiology of vegetation, and his system of cultivation, and the chairman requested to send for him, to give him an opportunity to communicate a confidential knowledge of them to each member of the Legislature, to enable the members to vote understandingly.

Mr. Wheeler moved to refer the whole subject to the judiciary committee.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wheeler, and it was determined in the negative.

{ AYES 23 }
{ NOES 80 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Antho	Bird	Fisk	Rowe	Swords
J. W. Babcock	Cady	Fitzhugh	Rumsey	A. A. Thompson
Backhouse	Cooke	Gleason	Severance	O. C. Thompson
Belknap	Congdon	Hewit	Shultes	Wheeler
T. H. Benedict	Ferris	Miles		23

Those who voted in the negative are,

H. J. Allen	Coffin	L. Harris	Lyon	Sickles
O. Allen	Colvin	Hatch	McLouth	A. Smith
Atwood	Corser	Heath	Macomber	E. T. Smith
R. Babcock	Davis	Higby	Maurice	Snell
Baker	Dennison	Hinds	Minier	Southwick
Barnes	Doyle	Horton	Moss	Stevens
J. Benedict	Elderkin	Hoppin	Nelson	Stewart
Bishop	Ely	Jayne	Norton	Stilwell
Blackstone	Farr	Kinsley	E. Perry	Stratton
Bottom	Feller	Kellogg	Pool	Speaker

Bowne	Fordyce	Lake	Robinson	Townsend	
Bradley	Graham	Lawyer	Rockwell	Tuthill	
Briggs	A. A. Gregory	Leggett	Rouse	Varnum	
Burroughs	W. S. Gregory	Le Roy	W. Russell	Ward	
Carrington	Greene	Lesley	W. F. Russell	Welden	
J. F. Clark	H. Harris	Lewis	Ryan	Whiteside	80

Mr. Severance moved to refer the resolution and amendment to the committee on agriculture.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Severance, and it was determined in the affirmative.

Mr. O. Allen offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That five times the usual number of copies of the annual report of the Commissioners of the Canal Fund, be published for the use of the Legislature, in addition to those ordered.

Ordered, That the said resolution be referred to the committee on printing.

Leave of absence was granted to Mr. Rider for four days; Mr. Wheeler, for one week; Mr. Burroughs, for one week; Mr. Sherman, for four days; Mr. Yeomans, for four days; Mr. G. Clark, for four days; Mr. Babcock, for one week.

On motion of Mr. Wheeler,

The House proceeded to the consideration of the resolutions heretofore offered by him, in the words following, to wit :

Resolved, (If the Senate concur,) That the two Houses of the Legislature proceed on the 4th day of February, 1851, at 12 o'clock at noon, to the election of a United States Senator, in the place of Daniel S. Dickinson, whose term of office will expire on the 4th day of March next.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence in the same.

On motion of Mr. Macomber,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the Clerk of the Assembly be authorised to pay out of the contingent fund, to L. Stuart Rose, the sum of thirty dollars in full, for services rendered before and subsequent to the opening of the present session.

On motion of Mr. Lesley,

Ordered, That the said resolution be referred to the committee on expenditures.

On motion of Mr. Elderkin,

Resolved, That the bills making appropriations for the State prisons of this State, be made the special order for Wednesday next at 12½ o'clock.

Mr. Elderkin offered for the consideration of the House, a resolution, in the words following, to wit :

Resolved, That on and after Monday next, the House will, each day, at the hour of two o'clock, p. m., adjourn.

Debate was had thereon,

Ordered, That the said resolution be laid upon the table.

On motion of Mr. H. Harris,

Resolved, That the Senate be requested to send down to this House the petition and accompanying papers of George Kinsella for relief, and that the same, when received, be referred to the committee on claims.

On motion of Mr. H. Harris,

Resolved, That the petitions of 1850, on file, in relation to the extension of the law relative to auctions in the city of New-York to the city of Albany, be taken from the files and referred to the committee on trade and manufactures.

Mr. Stevens offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That five times the usual number of the report of the Superintendent of the Onondaga Salt Springs be printed, and 500 copies for the use of the superintendent.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. J. Benedict moved to lay this order of business on the table.

Mr. Speaker then put the question whether the House would agree to the said motion of Mr. J. Benedict, and it was determined in the negative.

Mr. H. Harris gave notice that he would, at an early day, ask leave to introduce a bill to enable religious societies to provide for their common expenses.

Mr. Severance gave notice that he would, at an early day, ask leave to introduce a bill to enable married women to execute powers of attorney for the conveyance of real estate in certain cases.

A message from the Senate was received and read, informing that they had passed, without amendment, the bill entitled as follows:

"An act in relation to the supervisors of the city of Brooklyn, county of Kings."

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Moss,

Resolved, That the committee on trade and manufactures be discharged from the further consideration of the petition of William S. Young and O. S. Phelps, relating to a right of way and water around the Falls of Niagara, and that the same be referred to the canal committee having in charge a petition from the same persons for the charter for a canal at the same place.

On motion of Mr. H. Harris,

The House then proceeded to the consideration of the unfinished business of the 17th, being a bill entitled, "An act to provide for the organization and government of the police of the city of Albany," Mr. Speaker stated the pending question to be on the proposed amendment of Mr. Elderkin adding a new section to the bill, as follows:

§ 38. This act shall not take effect until it has been submitted to

the electors of said city at the next charter election, and has been approved by them at such election.

Mr. E. Perry moved to recommit to a select committee to report the bill complete with amendments.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. E. Perry, and it was determined in the negative.

Mr. E. Perry moved to refer said bill to a select committee, to amend as stated in his place.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. E. Perry, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, to amend, and it was determined in the negative.

Mr. Elderkin then moved to postpone the further consideration of the bill for one week.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the negative.

{ AYES 43 }
{ NOES 59 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Coffin	A. A. Gregory	Manrice	Snell
R. Babcock	Colvin	Hatch	Minier	Stewart
J. W. Babcock	Congdon	Hewit	E. Perry	Stillwell
Barnes	Davis	Horton	Pool	Stratton
Bowne	Dennison	Kinsley	Robinson	Swords
Bradley	Doyle	Kellogg	Rockwell	A. A. Thompson
Burroughs	Elderkin	Lawyer	Sickles	Whiteside
Bushnell	French	Le Roy	E. T. Smith	Wright
J. F. Clark	Gleason	Lewis		

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Those who voted in the negative are,

O. Allen	Cady	Fordyce	McLouth	A. Smith
Anthon	Carrington	Graham	Macomber	Southwick
Backhouse	Chamberlin	W. S. Gregory	Miles	Stevens
Baker	Cooke	H. Harris	Moss	Townsend
Belknap	Corser	L. Harris	Nelson	Tuthill
J. Benedict	Douglass	Heath	Norton	Underwood
T. H. Benedict	Ely	Hinds	Rouse	Varnum
Bird	Farr	Hoppin	Rowe	Wakeman
Bishop	Ferris	Ingersoll	Rumsey	Ward
Blackstone	Feller	Lake	Ryan	Welden
Bottum	Fisk	Leggett	Severance	Wheeler
Briggs	Fitzhugh	Lesley	Shultes	

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Mr. Speaker stated the question to be on agreeing to the report of the committee of the whole, and ordering the bill to be engrossed for a third reading.

Mr. H. Harris moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the main question, it being whether the House would agree to the report of the committee of the whole, and it was determined in the affirmative.

{ AYES 62 }
{ NOES 33 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

O. Allen	Cady	Fordyce	Leggett	Southwick
Anthon	Carrington	Graham	Lesley	Stevens
Atwood	Chamberlin	A. A. Gregory	Macomber	Swords
J. W. Babcock	Coffin	W. S. Gregory	Miles	Speaker
Baker	Cooke	H. Harris	Moss	Townsend
Belknap	Corser	L. Harris	Nelson	Tuthill
J. Benedict	Douglass	Heath	Norton	Underwood
T. H. Benedict	Ely	Hewitt	Rouse	Varnum
Bird	Farr	Hinds	Rowe	Wakeman
Bishop	Ferris	Hoppin	Rumsey	Welden
Blackstone	Feller	Ingersoll	Severance	Wheeler
Bottom	Fisk	Lake	A. Smith	Whiteside
Briggs	Fitzhugh			62

Those who voted in the negative are,

H. J. Allen	J. F. Clark	Hatch	Minier	Snell
R. Babcock	Colvin	Kinsley	E. Perry	Stewart
Barnes	Davis	Kellogg	Pool	Stilwell
Bowne	Dennison	Lawyer	Rockwell	Stratton
Bradley	Doyle	Le Roy	Sickles	A. A. Thompson
Burroughs	Elderkin	Lewis	E. T. Smith	Wright
Bushnell	French	Maurice		33

Ordered, That the said bill be engrossed for a third reading.

Mr. Speaker presented the annual report of the Canal Commissioners.

Mr. O. Allen offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That ten times the usual number of copies of the annual report of the Canal Commissioners be printed for the use of the Legislature, and one thousand copies for the use of the Canal Commissioners.

Ordered, That the said resolution be referred to the committee on printing.

On motion of Mr. J. Benedict,

The House, at 15 minutes past 2 o'clock, adjourned.

SATURDAY, JANUARY 25, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Bowen.

The minutes of yesterday were read and approved.

Mr. H. Harris presented the petition of mechanics of the city of Albany, in relation to the redemption of bank notes at par, which was read and referred to the committee on banks and insurance companies.

Mr. Gleason presented the petition of 186 citizens of the county of Delaware, for a law staying the collection of rents on manorial lands, during the pendency of the actions commenced by the Attorney General, to test the titles thereof, on behalf of the State, which was read and referred to the select committee on that subject.

Mr. Kellogg presented the petition of 91 of the electors of the county of Cortland, asking for the repeal of the late school law, and to be set back on the old law, as far as that county is concerned, which was read and referred to the committee on colleges, academies and common schools.

Mr. J. W. Babcock presented the petition of S. S. Rising, and 259 others, of the town of Somerset, Niagara county, praying for the unconditional repeal of the late school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Hinds presented the petition of the stockholders of the Union and Vestal bridge company, for the passage of an act authorising an equal distribution of the tax of said bridge to each town respectively, according to the stock owned in the aforesaid town, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Cook presented the remonstrance against the formation of a new county, from parts of Greene, Schoharie, and Delaware, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Fitzhugh presented the memorial of the mayor and common council of the city of Rochester, for an act requiring the Canal Commissioners, to assume for the State, a bridge over the Erie canal, at Court-street, in said city, which was read and referred to the committee on canals.

Mr. Ferris presented the petition of R. Halsey, and 221 others, inhabitants of Tompkins county, for the renewal of the charter of the Solus canal company, which was read and referred to the committee on canals.

Mr. Bottum presented two remonstrances of the citizens of Wayne county, against a division of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Bottum presented six petitions of citizens of Wayne co., for

a division of said county, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Rumsey presented the remonstrance of Cornelius Nelson, and 125 others, citizens of the village of Buttermilk Falls, against the renewal of a charter for a ferry, to John Garrison, which was read and referred to the committee on commerce and navigation.

Mr. Minier presented the petition of the inhabitants of school district number six, Elmira, Chemung co., for relief, which was read and referred to the committee on grievances.

Mr. Jayne presented the petition of sundry inhabitants of Yates co., for a repeal of the school law, and to reduce the power of the State Superintendent and his officials, which was read and referred to the committee on colleges, academies and common schools.

Mr. Bottum presented two petitions of citizens of Wayne county, for recharter of Sodus canal company, which was read and referred to the committee on canals.

Mr. Severance, from the committee on claims, to which was referred the petition of Asa D. Wood, & Co., for canal damages, reported, and offered for the consideration, a resolution, in the words following, to wit:

Resolved, That the petition of Asa D. Wood, & Co., for relief under a canal contract, be referred to the Canal Commissioners, and that they be respectfully requested to report their opinion, and the reasons of their decision, if any were made, in regard to the subject of said petition.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Severance, from the committee on claims, to which was referred the petition of Asaph Seymour, for compensation in consequence of the depreciation of State stocks, reported adversely, and offered for the consideration of the House a resolution in the words following, to wit:

Resolved, That the prayer of the petitioners ought not to be granted, and that the committee be discharged from the further consideration of the same.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Severance, from the committee on claims, to which was referred the bill entitled, "An act for the relief of Catharine Leland," reported, and offered for the consideration of the House, a resolution in the words following, to wit:

Resolved. That the act for the relief of Catharine Leland, be taken from the committee on claims, and referred to the committee on grievances.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Lesley, from the committee on roads and bridges, to which referred the bill from the Senate, entitled, "An act relative to the election of directors of the Union bridge company," reported that the

committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill from the Senate, entitled, "An act to enable the children of George S. Tiffany, to take real estate by descent or devise," reported that the committee had examined said bill, and saw no reason why the same, should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend article 1, title 3, chapter 7, part 3, of the Revised Statutes, entitled, 'Of taking conditionally, the testimony of witnesses within the State,'" reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of supervisors of Monroe co., for authority to designate the papers in said county, for publication of election notices, reported adversely to the prayer of the petitioner, and offered for the consideration of the House, a resolution, in the words following, to wit:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of H. G. Wheaton, and others, citizens of Albany, against extending the New-York auction laws, to said city, reported for the consideration of the House, a resolution, in the words following, to wit:

Resolved, That the judiciary committee be discharged from the further consideration of said petition, and that it be referred to the committee on trade and manufactures.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Varnum, from the committee on railroads, to which was referred the bill entitled, "An act to facilitate the construction of the Lewiston railroad, and to authorise the Buffalo and Niagara Falls railroad company and the Lewiston railroad company to unite in one company," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Hatch, from the committee on claims, to which was referred the petition of Matthew Huntington, for arrearages of his award for

canal damages, reported for the consideration of the House a resolution in the words following, to wit :

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Nelson, from the committee on claims, to which was referred the petition of Thomas Butler for relief, offered for the consideration of the House a resolution in the words following, to wit :

Resolved, That the petitioner have leave to withdraw his said petition.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Bishop, from the committee on privileges and elections, to which was referred the resolutions of the supervisors of the county of Oswego, asking the amendment of the election laws, reported for the consideration of the House a resolution in the words following, to wit :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Cady, from the select committee consisting of the Kings co., delegation, to which was referred the bill from the Senate entitled, "An act authorising the supervisors of county of Kings to create a loan for the erection of a penitentiary, and for the purchase of land and the erection of a new lunatic asylum," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Speaker presented the annual statement of unclaimed dividends in the bank of Whitehall, which was referred to the committee on banks and insurance companies.

On motion of Mr. Cady,

The House proceeded to the consideration of the joint resolutions from the Senate, in the words following, to wit :

Resolved, (If the Assembly concur,) That the code of civil procedure, reported in 1850 by the commissioners on practice and pleadings, together with the act entitled, "An act to amend the act entitled, 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this state,' passed April 12, 1848," which amendatory act was passed April 11, 1849, be referred to a joint select committee to report on or before the 15th day of March next, that such committee shall consist of three members of the Senate, and five of the Assembly, who shall have leave to sit from day to day during the session of the Legislature, and that said committee be empowered to invite before them, and confer with the said commissioners and other persons, if they shall deem it necessary, at such time or times as may be deemed expedient.

Ordered, That in case the Assembly concur in said resolution, that Messrs. Mann, Geddes and Stanton, be of such committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. Stevens,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That five times the usual number of the report of the Superintendent of the Onondaga Salt Springs be printed, and 500 copies for the use of the superintendent.

Mr. Stevens modified his resolution by striking out the word "five," and inserting "three."

Mr. Speaker put the question whether the House would agree to the said resolution, as amended, and it was determined in the affirmative.

In pursuance of previous notice, Mr. Baker asked for and obtained leave to introduce a bill entitled, "An act to incorporate the city of Williamsburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Lesley asked for and obtained leave to bring in a bill entitled, "An act to amend the act in relation to free schools in Troy, and school district No. 10 in Lansingburgh, &c.," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on colleges, academies and common schools.

In pursuance of previous notice, Mr. Macomber asked for and obtained leave to introduce a bill entitled, "An act to provide for the taking of appeals in suits in equity pending in the supreme court on the first day of July, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Backhouse asked for and obtained leave to introduce a bill entitled, "An act to authorise Wm. Beard and others to contract and build docks, wharves, &c., in the 6th ward of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

On motion of Mr. Lake,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That ten times the usual number of the report of the agricultural committee, with the accompanying bill, be printed.

Mr. Lake moved to refer said resolution to the committee on printing.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Lake, and it was determined in the affirmative.

In pursuance of previous notice, Mr. J. Brediet asked for and

obtained leave to introduce a bill entitled, "An act to amend section four, chapter two, part four, title eight, of the Revised Statutes, entitled, 'Of the fees of officers and ministers of justice in criminal cases,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Blackstone asked for and obtained leave to bring in a bill entitled, "An act to incorporate the Manhattan steam ship company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

On motion of Mr. Wakeman,

The House proceeded to the consideration of the resolution heretofore offered by Mr. Sherman, in the words following, to wit:

Resolved, That the Clerk of the House be required to furnish a suitable room for the use of the committee on claims.

Mr. Wakeman moved to amend said resolution by adding, "and a room for the use of the select committee on assessment and taxation."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wakeman, and it was determined in the affirmative.

Mr. Varnum moved to amend by adding, "and that the Clerk provide suites of drawers, similar to those used by the Senate, for the safe keeping of the papers referred to said committees."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Varnum, and it was determined in the affirmative.

Mr. Lesley moved to amend by adding, "and that the expense be paid out of the contingent fund of the Assembly."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Lesley, and it was determined in the affirmative.

Mr. Speaker stated the question to be on the resolution as amended, which was in the words following, to wit:

Resolved, That the Clerk of the House be required to furnish suitable rooms for the use of the committee on claims, and the committee on the assessment and equalization of taxes; also, that the Clerk provide suites of drawers similar to those used by the Senate, for the safe keeping of the papers referred to said committees, and that the expense be paid out of the contingent fund of the Assembly.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. Macomber,

Leave of absence was granted to Mr. Leggett for five days.

In pursuance of previous notice, Mr. Varnum asked for and obtained leave to bring in a bill entitled, "An act to amend part third, chapter eighth, of the Revised Statutes, entitled, 'Of proceedings in special cases, and for the security of mechanics and others erecting buildings and furnishing materials therefor,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. L. Harris,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the Clerk procure a copy of the new general index to the laws of this State from 1777 to 1850, inclusive, published by Mr. John S. Voorhies, for each of the members of this House, and that the same be paid for out of the contingent fund thereof.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. J. Benedict offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the petition and papers of Barnes and Hinman, be recommitted to the committee on claims.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

On motion of Mr. Minier,

Resolved, That the committee on grievances be discharged from the further consideration of the petition of the inhabitants of school district No. 6, Elmira, and it be referred to the judiciary committee.

On motion of Mr. Wakeman,

The House proceeded to the consideration of the resolution heretofore offered by Mr. Blackstone, in the words following, to wit :

Resolved, That the petition and papers on file, in relation to the claim of James Hay, be taken from the files and referred to the committee on ways and means.

Mr. Wakeman modified his resolution by striking out ways and means and inserting public lands.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. Corser,

Resolved, That a respectful message be sent to the Senate, requesting that the petition of William Buell, presented at the last session, be transmitted to the Assembly.

On motion of Mr. Gleason,

The House then resolved itself into a committee of the whole on the bill entitled, as follows, to wit:

"An act authorising the Delaware plank road company to borrow money."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. A. Smith, from said committee, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

On motion of Mr. J. Benedict,

The House then resolved itself into a committee of the whole on the bill entitled, as follows, to wit:

"An act to incorporate the Rome water works company."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Bird, from said committee, reported that the committee had gone through said bill, and agreed to the same with amendments.

Mr. Elderkin moved that the name of E. Huntington, in sec. first of said bill, be stricken out, and that of Alvah Mudge be inserted.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the report of the committee of the whole, and it was determined in the affirmative.

Ordered, That the said bill be engrossed for a third reading.

On motion of Mr. Le Roy,

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act to amend an act, and the title thereof, entitled, 'An act to authorise the Syracuse and Tully plank road company to make a branch of their road over lands of the Onondaga Indians,' passed March 20, 1850."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Ferris, from said committee, reported that the committee had gone through said bill, and agreed to the same with an amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

On motion of Mr. Moss,

The House, at half-past one o'clock, adjourned.

MONDAY, JANUARY 27, 1851.

The House met pursuant to adjournment.

Mr. Varnum called the House to order, and announced that pursuant to the 7th standing rule, the Speaker had designated him to occupy the chair for this day.

Prayer by the Rev. Mr. Conroy.

The minutes of Saturday having been read, Mr. Elderkin moved to amend by transferring the proceedings on the joint resolutions of the Senate, proposing a joint commission to examine the report of the commissioners on the code of legal practice, from the order of messages from the Senate to the order of motions, resolutions, &c.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, to amend, and it was determined in the negative.

The minutes of Saturday were then approved.

Mr. Ingersoll presented the remonstrance of sundry inhabitants of Guilford, in Chenango co., against the Butternuts and Oxford turnpike company giving up any part of their road without giving up the whole, which was read and referred to the committee on roads and bridges.

Mr. O. Allen presented the remonstrance of 88 citizens of Buffalo,

against the repeal of the law making the clerk's office of Erie co. a salaried office, which was read and referred to the select committee consisting of the Erie co. delegation.

Mr. Gleason presented the petition of 75 citizens of Delaware co. for a law staying the collection of rents on manorial lands while the titles thereto are being tested by the Attorney General on behalf of the State, which was read and referred to the select committee on that subject.

Mr. Hoppin presented the petition of Justus S. Masters and others, electors of the town of Hamilton, Madison co., for the immediate passage of Coffin's bill, which was read and referred to the committee on the judiciary.

Mr. Townsend presented the petition of Richard A. Reading and others, citizens of the State of New-York, for the exemption of all grounds sacredly, and entirely, set apart for interment of the dead, from taxation, which was read and referred to the select committee on taxes.

Mr. Lewis presented the remonstrance of 157 citizens of Oswego co., against the Sodus canal, which was read and referred to the committee on canals.

Mr. Wright presented the remonstrance of 350 citizens of Otsego and Delaware counties, against par redemption, which was read and referred to the committee on banks and insurance companies.

Mr. Elderkin presented the petition of James Miller and 75 other citizen soldiers of Louisville, St. Lawrence co., for an amendment, modification or repeal of the militia law of this State, which was read and referred to the committee on militia and public defence.

Mr. Miles presented two petitions of sundry inhabitants and tax payers of Steuben co., that Addison be made a half shire-town of said county, which were read and referred to the committee on internal affairs of towns and counties.

Mr. Bottum presented the petition of citizens of Wayne co., for a division of that county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Humphrey presented the petition of inhabitants of Warsaw, for a law prohibiting the sale of intoxicating liquors except for medical and mechanical purposes, which was read and referred to the select committee on that subject.

Mr. E. Perry presented the remonstrance of 465 citizens of Albany, against extending the N. Y. auction law to the city of Albany, which was read and referred to the committee on trade and manufactures.

Mr. Severance presented the petition of citizens of Sardinia, Erie co., for the repeal of the new school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Lyon presented the petition of sundry citizens for land limitation and homestead exemption, which was read and referred to the committee on public lands.

Mr. Lyon presented the petition of sundry inhabitants of Lewis co.,

that Moose river and its branches be declared a public highway, which was read and referred to the committee on public lands.

Mr. Jayne presented the petition of sundry inhabitants of Dundee, Yates co., that no alteration be made in their charter, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Hatch presented the remonstrance of 65 inhabitants of Oswego co., against the construction of the Sodus canal, which was read and referred to the committee on canals.

Mr. Hatch presented the petition of Dorcas Page, that a sum of money due from this State to her father for revolutionary services be paid to his legal representatives, and also that compensation be made for the land to which he was entitled, which was read and referred to the committee on claims.

Mr. Rouse presented the petition of sundry inhabitants of the towns of Sangerfield and Marshall, county of Oneida, for amendment of the plank road law, which was read and referred to the committee on roads and bridges.

Mr. J. Benedict presented the petition of sundry inhabitants of Vernon, Oneida co., for a law authorising the purchase of Webster's unabridged dictionary for common schools, which was read and referred to the committee on colleges, academies and common schools.

Mr. Snell presented two petitions of inhabitants of Fort Plain and Palatine, county of Montgomery, for a modification of the charter of the Fort Plain bridge company, which was read and referred to the committee on roads and bridges.

Mr. Rowe presented the petition of Alva Smith, and others, of the county of Genesee for the repeal or modification of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Fisk presented the petition of 23 inhabitants of the county of Genesee, for repeal of the free school law, and that the law for the assessment of taxes, may be revised and amended, which was read and referred to the committee on colleges, academies and common schools.

Mr. Fisk presented the petition of 19 inhabitants of Genesee county, that the tolls on railroads may be abated, which was read and referred to the committee on railroads.

Mr. Bottum presented six several petitions of citizens of Wayne county, for a division of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Bottum presented the petition of citizens of Wayne county, for an unconditional repeal of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Ferris presented the petition of Miles, Finch, and 269 others, inhabitants of Tompkins county, for the renewal of the charter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. Ely presented the petition of inhabitants and taxpayers of the

village of Owego, praying for the amendment of the charter of said village, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Higby presented the petition of sundry inhabitants of Steuben county, for the repeal of the new school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Higby presented five several remonstrances from citizens of Steuben county, against the erection of a half shire-town, or any other division of said county, which were read and referred to the committee on the internal affairs of towns and counties.

Mr. Bowne presented the petition of Henry R. Purdy, and others, for a ferry across the Hudson river, from Cold Spring, in the county of Putnam, to the west shore, in the county of Orange, which was read and referred to the committee on commerce and navigation.

Mr. Bowne presented the petition of John Garrison, and others, for a ferry across the Hudson river, in the county of Putnam, which was read and referred to the committee on commerce and navigation.

Mr. Bowne presented the petition of John Garrison, and others, for the renewal of a charter for a ferry across the Hudson river, in the county of Putnam, which was read and referred to the committee on commerce and navigation.

M. Ellwood presented the petition of residents of Schenectady, for a law to compel banks in the State of New-York, to redeem their issues of bills at par in the city of New-York, which was read and referred to the committee on banks and insurance companies.

Mr. Bottum presented four several remonstrances of sundry towns of Wayne co., against a division of said co., which were read and referred to the committee on the erection and division of towns and counties.

Mr. Bird presented the remonstrance of citizens of Erie county, against the repeal of the law making the office of county clerk a salaried office, which was read and referred to a select committee, to consist of the Erie county delegation.

Mr. Moss presented the petition of Anna Maria Smidt, to confirm her title to certain real estate, which was read and referred to the committee on the petitions of aliens.

Mr. Bowne presented the petition of John Garrison, and 192 others, for the renewal of his ferry charter across the Hudson river, from the town of Phillipstown, county of Putnam, which was read and referred to the committee on commerce and navigation.

Mr. Lyon presented the memorial of Wm. G. Morse, and 207 others, of Genesee co., in favor of land limitation, and thorough homestead exemption, which was read and referred to the committee on public lands.

Mr. Bottum presented six several petitions of citizens of Wayne co., for recharter of Sodus canal-company, which was read and referred to the committee on canals.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to incorporate the city of Williamsburgh," reported that the committee had

examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the petition of the trustees of Baldwinsville, for an amendment of the charter of said village, reported, and asked and obtained leave to bring in a bill entitled, "An act to amend chapter 350, of the laws of 1850, entitled, 'An act to amend an act entitled, 'An act to provide for the incorporation of villages,' passed December 7, 1847,' so far as relates to the village of Baldwinsville, in the county of Onondaga," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Norton, from the committee on printing, to which was referred the resolution heretofore offered by Mr. O. Allen, in relation to printing the report of the Canal Commissioners, reported the following resolution:

Resolved, That ten times the usual number be printed for the use of the Legislature, and one thousand for Canal Commissioners.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Norton, from the committee on printing, to which was referred the resolution heretofore offered by Mr. H. J. Allen, in relation to printing the report of the joint committee to examine the accounts of the Treasury, Banking, and Canal Department, reported the following resolution:

Resolved, That three times the usual number be printed for the use of the Legislature, 250 for the Treasurer, 250 for the Banking Department, and 250 for the Canal Department.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Norton, from the committee on printing, to which was referred the resolution heretofore offered by Mr. O. Allen, in relation to printing the annual report of the Commissioners of the Canal Fund, reported the following resolution:

Resolved, That five times the usual number of copies be printed for the use of the Legislature, in addition to those already ordered.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Severance, from the committee on claims, to which was referred the petition of Henry Rector, asking for additional compensation for services rendered as architect of the new State Hall, reported, and offered for the consideration of the House, a resolution, in the words following, to wit:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Severance, from the committee on claims, to which was refer-

red the petition of Reuben Lyon, for canal damages, reported, and asked and obtained leave to bring in a bill entitled, "An act for the appraisal and payment of canal damages to Reuben Lyon," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Severance, from the committee on claims, to which was referred the petition of Robert Wilson, for the appraisal and payment of damages occasioned by the break in the Black River canal feeder, at Boonville, reported, and asked and obtained leave to introduce a bill entitled, "An act to authorise the appraisal and payment of canal damages to Robert Wilson, which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Severance, to which was referred the petition of Jas. Stewart, asking for the appraisal and payment of damages on his canal contract, reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of contractors upon the suspended work on the Oswego canal," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Severance, from the committee on claims, to which was referred the petition of Henry Crouse for canal damages, reported, and asked and obtained leave to bring in a bill entitled, "An act to provide for the appraisal and payment of canal damages to Henry Crouse," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Severance, from the committee on claims, to which was referred the petition of McDonald and Nichols, for damages on their canal contract, reported for the consideration of the House, a resolution, in the words following, to wit :

Resolved, That the committee on claims have reported a bill covering the claim of the petition, and therefore ask to be discharged from the further consideration of said petition.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend section four, of title eight, chapter two, part four, of the Revised Statutes, entitled, 'Of the fees of officers and ministers of justice in criminal cases,'" reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Bird, from the committee on the internal affairs of towns and counties, to which was referred the petition of the supervisors of Niagara co., for the passage of a law declaring valid the proceedings of the superintendents of the poor of said co., reported, and asked and obtained leave to bring in a bill entitled, "An act declaring valid the proceedings of the superintendents of the poor of the county of Niagara and the effect of certain proceedings of the board of super-

visors of said co.," which was read the first time and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Backhouse, from the committee on grievances, to which was referred the petition of Thos. E. Buchanan and Henry Card, for relief under a certain contract, reported, and asked and obtained leave to bring in a bill entitled, "An act authorising the Canal Board to settle a certain contract with Thomas E. Buchanan and Henry Card," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Atwood, from the committee on expenditures, reported in favor of the adoption of the resolution heretofore offered in the words following, to wit :

Resolved, That the Clerk of the Assembly be authorised to pay out of the contingent fund, to L. Stuart Rose, the sum of thirty dollars in full, for services rendered before and subsequent to the opening of the present session.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

An act authorising the Delaware plank road company to borrow money."

"An act to amend an act, and the title thereof, entitled, 'An act to authorise the Syracuse and Tully plank road company to make a branch of their road over lands of the Onondaga Indians,' passed March 20, 1850."

Ordered, That said bills be read the third time.

Mr. Speaker presented the report of the Auditor of Canal Depart't.

The bill entitled, "An act to amend an act entitled, 'An act to authorise the Syracuse and Tully plank road company to make a branch of their road over lands of the Onondaga Indians,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Bushnell	Feller	Ingersoll	Shultes
O. Allen	Cady	Fisk	Jayne	Sickles
Atwood	Carrington	Fitzhugh	Kinsley	A. Smith
R. Babcock	Chamberlin	Fordyce	Kellogg	E. T. Smith
J. W. Babcock	J. F. Clark	French	Lake	Snell
Backhouse	Colvin	Gilbert	Lawyer	Southwick
Baker	Cooke	Gleason	Le Roy	Stevens
Barnes	Congdon	Graham	Lesley	Stratton
Belknap	Corser	A. A. Gregory	Macomber	Swords
J. Benedict	Davis	W. S. Gregory	Minier	O. C. Thompson
T. H. Benedict	Dennison	H. Harris	Moss	Townsend

Bird	Douglass	Hatch	E. Perry	Tuthill
Blackstone	Doyle	Heath	Pool	Varnum
Bottum	Elderkin	Hewit	Rouse	Wakeman
Bowne	Ellwood	Higby	Rowe	Welden
Bradley	Ely	Hinds	Rumsey	Whiteside
Brayton	Farr	Hoppin	Severance	Wright
Briggs	Ferris			

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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act authorising the Delaware plank road company to borrow money," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Coffin	Gilbert	Lake	A. Smith
R. Babcock	Colvin	Gleason	Lawyer	E. T. Smith
J. W. Babcock	Cooke	Graham	Le Roy	Snell
Backhouse	Congdon	A. A. Gregory	Lesley	Southwick
Baker	Cörser	H. Harris	Lewis	Stevens
Barnes	Davis	L. Harris	Macomber	Stratton
Belknap	Dennison	Hatch	Miles	Swords
J. Benedict	Douglass	Heath	Minier	O. C. Thompson
Bird	Doyle	Hewit	Moss	Townsend
Bowne	Elderkin	Higby	E. Perry	Tuthill
Bradley	Ellwood	Hinds	Pool	Varnum
Briggs	Ely	Horton	Rouse	Wakeman
Bushnell	Farr	Hoppin	Rowe	Welden
Cady	Ferris	Ingersoll	Rumsey	Wheeler
Carrington	Feller	Jayne	Ryan	Whiteside
Chamberlin	Fisk	Kinsley	Shultes	Wright
J. F. Clark	Fordyce	Kellogg	Sickles	

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

Mr. Davis offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the committee on banks and insurance companies, be directed to report upon the expediency of exempting from county taxes, so much of the circulation of banks in this State, out of the city of New-York, as is, and shall be secured by the pledge of New-York State stocks, and redeemed at par in the city of New-York.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Leave of absence was granted to Mr. Robinson, for four days; Mr. Brayton, for four days; Mr. Shall, for four days; Mr. Ward, for four days; Mr. Blackstone, for four days; Mr. W. Russell, four days.

On motion of Mr. O. Allen,

Resolved, That five times the usual number of copies of the Auditor's report on tolls, trade and tonnage, be printed for the use of the

Legislature, and four hundred copies for the use of the Auditor's Department.

Mr. Townsend gave notice that he would at an early day, ask leave to introduce a bill to amend the charter of the St. Luke's hospital.

Mr. Ely gave notice that he would at an early day, ask leave to introduce a bill entitled, "An act to amend the several acts incorporating the village of Owego, in the county of Tioga." "

In pursuance of previous notice, Mr. H. Harris asked for and obtained leave to introduce a bill entitled, "An act to enable religious societies to provide for their common expenses," which was read the first time and by unanimous consent was also read a second time and referred to the committee on charitable and religious societies.

Mr. Cady gave notice that he would at a future day, introduce a bill in relation to the district attorney of the county of Kings.

On motion of Mr. Bird,

Resolved, That the bill to reduce the fees of the county clerk of Erie county, and repeal the law making the office of said clerk a salaried office, heretofore referred to a select committee to report complete, be referred to the committee of the whole, and printed.

On motion of Mr. Coffin,

Resolved, That the parties in relation to the division of the town of Cherry Valley, in the county of Otsego, have leave to withdraw the maps and papers from the files of the House, for the purpose of presenting the subject to the board of supervisors of said county.

Mr. Baker gave notice that he would at a future day, move to suspend the 4th rule of the Assembly, for the purpose of having the act to incorporate the city of Williamsburgh, referred to a select committee to report complete.

On motion of Mr. Gilbert,

Resolved, That the Clerk of this House shall cause to be transmitted to the Senate, the petitions on file in this House, for the extension of the time for the collection of taxes.

In pursuance of previous notice, Mr. L. Harris asked for and obtained leave to bring in a bill entitled, "An act to provide for the election of a special county judge in the county of Chenango," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. J. Benedict,

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act to amend the act to authorise the election of local officers to discharge the duties of county judge and surrogate, in the counties of Orange, Chautauque, Cayuga, St. Lawrence, Tioga, Oneida, Jefferson, and Oswego, passed April 10, 1849."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. T. H. Benedict, from said committee, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

On motion of Mr. O. Allen,

The House then resolved itself into a committee of the whole on the bill entitled, as follows, to wit:

"An act for the relief of Sarah McFrancis."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Tuthill, from said committee, reported that the committee had gone through said bill, and agreed to the same without amendments, which report was agreed to.

On motion of Mr. O. Allen, and by unanimous consent,

The said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Cady	Feller	Jayne	Severance
O. Allen	Campbell	Fisk	Kinsley	Shultes
Atwood	Carrington	Fordyce	Kellogg	Sickles
B. Babcock	Chamberlin	French	Lake	A. Smith
J. W. Babcock	J. F. Clark	Gilbert	Lawyer	E. T. Smith
Backhouse	Coffin	Gleason	Le Roy	Snell
Baker	Colvin	Graham	Lesley	Southwick
Barnes	Cooke	A. A. Gregory	Lewis	Stevens
Belknap	Congdon	W. S. Gregory	Miles	Stratton
J. Benedict	Corser	H. Harris	Minier	Swords
T. H. Benedict	Davis	Hatch	Moss	A. A. Thompson
Bird	Dennison	Heath	Nelson	Townsend
Blackstone	Douglass	Hewit	E. Perry	Tuthill
Bottum	Doyle	Higby	Pool	Varnum
Bowne	Elderkin	Horton	Rouse	Wakeman
Bradley	Ely	Hoppin	Rowe	Welden
Briggs	Farr	Humphrey	Ramsey	Whiteside
Bushnell	Ferris	Ingersoll	Ryan	Wright

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

On motion of Mr. J. Benedict,

The House then resolved itself into a committee of the whole, on the bill entitled, as follows, to wit:

"An act to amend the code of procedure, in relation to appeals from the supreme court, to the court of appeals."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Campbell, from said committee, reported progress, and asked and obtained leave to sit again.

The House then resolved itself into a committee of the whole on the bill entitled, as follows, to wit:

"An act for the relief of Thomas Wheeler, administrator of John Jacob Mang, deceased."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Macomber, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

On motion of Mr. O. Allen,

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to repeal an act relating to highways in the town of Greenburgh."

"An act to provide for the appraisal and payment of canal damages to Josiah S. Kellogg, an executor of the estate of Jacob Kellogg, deceased."

"An act authorising the election of three trustees and a district clerk in school district No. 16, located in the village of Delhi."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Swords, from said committee, reported that the committee had gone through said bills, and agreed to the same without amendment, which report was agreed to.

Mr. Speaker presented a communication from the Secretary of State, transmitting the report of the Commissioners of the Land Office, in answer to a resolution heretofore passed in relation to the St. Regis Indians.

Also, a communication from the State Engineer and Surveyor, in relation to the resolution passed January 21st, requesting him to communicate certain statements relative to public lands.

On motion of Mr. Macomber,

The House, at two o'clock, adjourned.

TUESDAY, JANUARY 28, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Davenport.

The minutes of yesterday were read and approved.

Mr. Perry presented the petition of Wm. Smith and 328 others, merchants and citizens of Albany, to extend the N. Y. auction law to that city, which was read and referred to the committee on trade and manufactures.

Mr. French presented two petitions of settlers of Indian lands for relief, which were read and referred to the committee on Indian affairs.

Mr. Lyon presented the petition of sundry inhabitants of the city of New-York for land limitation and homestead exemption, which was read and referred to the committee on public lands.

Mr. Fisk presented the petition of citizens of Batavia, for a repeal or modification of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Wooster presented the petition of Ambrose Nicholson and 94 others, citizens of the county of Herkimer, asking for a law prohibiting the sale of intoxicating drinks, which was read and referred to the select committee on that subject.

Mr. McLouth presented the petition of inhabitants of school dis-

tricts No. 10 and 11, of Manchester, Ontario county, for an alteration or repeal of the present school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Bottum presented five several remonstrances of citizens of Wayne co., against a division of the same, which were read and referred to the committee on the erection and division of towns and counties.

Mr. McLouth presented the petition of inhabitants of the north school district in Phelps, Ontario co., for the repeal or modification of the present school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Lyon presented the petition of citizens of Jefferson co., for the equalization of assessments, which was read and referred to the select committee on that subject.

Mr. Le Roy presented the petition of citizens of Onondaga county for a repeal of the act passed April 28, 1847, entitled, "An act providing for the registry of births, deaths and marriages," which was read and referred to the committee of the whole having charge of the bill upon that subject.

Mr. Snel presented two petitions of sundry inhabitants of Fort Plain and Palatine, for a repeal of the act which prohibits the erection of a bridge across the Mohawk river within one mile of Fort Plain bridge, which were read and referred to the committee on roads and bridges.

Mr. Hatch presented the remonstrance and petition of Peter Lappin and others, on the subject of the petition of Samuel B. Ludlow, which were read and referred to the committee on public lands.

Mr. Bottum presented three petitions of citizens of Wayne co., for a division of said county, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Corser presented the petition of citizens of Monroe co., for a repeal of the free school law, to abolish the Normal School and School Journal as State institutions, and the office of town and State superintendents, which was read and referred to the committee on colleges, academies and common schools.

Mr. Corser presented the petition of citizens of Monroe co., for the unconditional repeal of the free school, which was read and referred to the committee on colleges, academies and common schools.

Mr. Hatch presented nine several remonstrances from citizens of Oswego co., against the Sodus canal, which were read and referred to the committee on canals.

Mr. Colvin presented two several petitions of Cayuga county, for a law to prevent the sale of intoxicating drinks as a beverage, which was read and referred to the select committee on that subject.

Mr. Bird presented the petition of inhabitants of Tonawanda, asking the passage of a law to authorise John H. Phillips, to establish and maintain a ferry between the town of Tonawanda, and Grand Island, in the Niagara river, which was read and referred to the committee on commerce and navigation.

Mr. Lyon presented the petition of sundry inhabitants of Lewis

county, to declare Moose river a public highway, which was read and referred to the committee on public lands.

Mr. Underwood presented the petition of Edwin B. Morgan, and 50 other citizens of Cayuga co., for the renewal of the Sodus canal charter, which was read and referred to the committee on canals.

Mr. Bishop presented the petition of Robt. C. Barnard, and 126 others, asking for a law compelling banks to redeem their notes at par, in the city of New-York, which was read and referred to the committee on banks and insurance companies.

Mr. Cooke presented the remonstrance of the citizens of Greene co., against the formation of a new county from parts of Greene, Schoharie, and Delaware, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Horton presented the petition of the Wesleyan seminary, of the town of Gouverneur, for relief, which was read and referred to the committee on colleges, academies and common schools.

Mr. Bottum presented the remonstrance of citizens of the town of Huron, Wayne co., against a division of the same, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Chamberlin presented the petition of the trustees of Genesee college, and 112 inhabitants of the town of Lima, for an appropriation of \$10,000, for the year 1851, and \$10,000, in the year 1852, for the endowment of said college, which was read and referred to the committee on colleges, academies and common schools.

Mr. J. W. Babcock presented the petition of Samuel Chubbuck, and 460 others, of the county of Niagara, remonstrating against the act of the Lockport and Cambria plank road company, and the location of said road, and also for an amendment of the law, so that they shall be allowed to take toll only for the distance actually traveled, which was read and referred to the committee on roads and bridges.

Mr. Humphrey presented the petition of John B. Skinner, and others, for a law prohibiting the sale of intoxicating drinks, which was read and referred to the select committee on that subject.

Mr. Southwick presented the petition of 147 citizens of Seneca Falls, Seneca county, praying for a recharter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. O. C. Thompson presented the petition of the inhabitants of the town of Greenbush, for the improvement of public highways, which was read and referred to the committee on roads and bridges.

Mr. Bottum presented the petition of citizens of Wayne county, for a recharter of the Sodus canal, which was read and referred to the committee on canals.

Mr. Southwick presented the petition of 37 citizens of Lodi, Seneca county, praying for a recharter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. Bottum presented the petition of citizens of Galen, Wayne county, for a repeal of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Hatch presented the petition of D. C. Littlejohn, and others,

for a law to authorise the Canal Commissioners to pay for a bridge, constructed over the Oswego canal, in the city of Oswego, which was read and referred to the committee on canals.

Mr. Barnes presented the petition of inhabitants of Monroe, Orange county, for alteration of the school law, which was read and referred to the committee on colleges, academies, and common schools.

Mr. O. C. Thompson presented the petition of sundry inhabitants of Rensselaer county, for a law to stay the collection of rents in certain cases, which was read and referred to a select committee.

Mr. Humphrey presented the petition of 840 citizens of the town of China, Wyoming co., for the passage of a law against the sale of intoxicating drinks as a beverage, which was read and referred to the select committee on that subject.

Mr. Rowe presented the petition of citizens of Oakfield, in the county of Genesee, asking for aid to Genesee college, which was read and referred to the committee on colleges, academies, and common schools.

Mr. Cooke presented the remonstrance of inhabitants of Greene county, against the formation of a new county, from parts of Greene, Delaware, and Schoharie, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled, as follows, to wit:

"An act to provide for the appraisal and payment of canal damages, to Josiah S. Kellogg, executor of the estate of Jacob Kellogg;"

"An act to authorise the election of three trustees, and a district clerk in school district No. 16, in the village of Delhi;"

"An act to repeal an act relating to highways in the town of Greenburgh;"

"An act to amend the act to authorise the election of local officers, to discharge certain duties in the counties of Orange, Chautauque, &c., passed April 10, 1849."

Ordered, That said bills be read a third time.

Mr. O. Ailen, from the committee on canals, to which was referred the petition of Edward B. Judson, in behalf of the Brewerton bridge co., praying for the refunding of certain moneys expended by them, reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of the Brewerton bridge co.," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. O. Allen, from the committee on canals, to which was referred the petition of Warren Norton and others, contractors on the Oswego canal, reported that the committee on claims had reported a general bill providing for the claims of contractors on the Oswego canal, and therefore asked to be discharged from the further consideration of said petition, which report was agreed to.

Mr. Lesley, from the committee on roads and bridges, to which was referred the bill entitled, "An act to authorise the Chautauque central plank road company, to borrow money," reported that the

committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the bill entitled, "An act in relation to the Saugerties and Woodstock turnpike company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Backhouse, from the committee on grievances, to which was referred the petition of Wm. J. Nelson and Ira E. Phillips, in relation to balance due them for constructing section 23 of the Genesee Valley canal, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the Canal Board to rehear the claim of Wm. J. Nelson and Ira E. Phillips for work done on section 23 of the Genesee Valley canal," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Backhouse, from the committee on grievances, to which was referred the bill entitled, "An act for the relief of Catharine Leland," reported that the committee had examined said bill, and saw no reason why the same, should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the resolution of the common council of Troy, for the passage of an act in relation to free schools in Troy, reported, and asked and obtained leave to bring in a bill entitled, "An act to amend the act entitled, 'An act in relation to free schools in the city of Troy, and school district No. 10 in the town of Lansingburgh,' also to amend the act entitled, 'An act to amend the charter of the city of Troy, to provide for the establishment of free schools,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Wakeman, from the committee on commerce and navigation, to which was referred the bill entitled, "An act to incorporate the Manhattan steam ship company," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Wakeman, from the committee on commerce and navigation, to which was referred the bill entitled, "An act authorising Jabez Goodell and Henry P. Wilcox, or their legal representatives, to improve the channel of Cattaraugus creek," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Severance, from the committee on claims, to which was referred the petition of John C. Phillips for canal damages, reported the following resolution, to wit :

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Stevens, from the committee on the manufacture of salt, submitted a report in writing, relative to the claim of Thomas Wheeler, administrator of John Jacob Mang, deceased, which was referred to the committee of the whole having charge of the bill upon that subject

Mr. J. Benedict, from the committee on the petitions of aliens, to which was referred the petition of Anna Maria Smith, to confirm her title to certain real estate, reported, and asked and obtained leave to bring in a bill entitled, "An act to confirm the title of Anna Maria Smith to certain real estate in the county of Erie," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. J. Benedict, from the committee on the judiciary, to which was referred the petition of Geo. Trescott, for right to hold real estate, reported, and asked and obtained leave to bring in a bill entitled, "An act to grant the right to George Trescott to hold and convey real estate," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bird, from the committee on the internal affairs of towns and counties, to which were referred numerous petitions and remonstrances in relation to making the town of Addison, in Steuben co., a half shire-town, reported, and asked and obtained leave to bring in a bill entitled, "An act to provide for building a court house and jail in the town and village of Addison, in the county of Steuben, and the holding of courts in and for said county alternately at Bath and Addison," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. O. Allen presented the annual report of unclaimed dividends and deposits of the Buffalo savings bank, which was read and referred to the committee on banks and insurance companies.

Mr. Speaker presented a communication from the Attorney Gen. and Lieutenant Governor, which was read in the words following, to wit:

To the Legislature of New-York:

The undersigned, have with some surprise, received information that a paper purporting to be the annual report of the Commissioners of the Canal Fund, has been transmitted to the Legislature by the Auditor of the Canal Department, over the signatures of a minority of said Commissioners; and being satisfied that this paper is not the

annual report required by law to be made by the Fund Commissioners, we have felt it to be our duty to protest against the reception of said paper, by the Legislature, as the annual report of the Fund Commissioners.

When, where, or by whom, said paper was prepared, we are not informed. No meeting of the Board of Fund Commissioners was ever organized, for the purpose of making or considering the annual report for 1851, of which we have any knowledge, nor do we believe that a majority of the said Commissioners were ever convened on the subject of this report. We are of the opinion that it was prepared by the Auditor or clerk of the Canal Department, and sent around to the different officers for the signatures of such of the Commissioners, as were willing to take it upon trust, omitting to call upon those who might be too curious to ascertain its contents before giving to it the authority of their signatures.

The paper was sent to the Lieutenant Governor, with a request that he sign it; but he declined doing so, until an opportunity was afforded him of understanding its contents, saying to the messenger, that he would call at the Canal Department the next morning and examine it. He did call, and was informed that the paper had already been transmitted to the Legislature.

The Attorney General never heard of the existence of such a paper, until after it had been sent to the Legislature.

The Treasurer was absent from Albany when the so called report was completed, and it is understood that his name was placed to it by a clerk in his department.

Whether this paper is one to which we could yield our assent or not, we do not know, being entirely ignorant of its contents; but we do know that it is not the report of the Commissioners of the Canal Fund, required by the statute, and we respectfully ask that it may be returned to the Auditor of the Canal Department, to the end that the annual report of the Commissioners of the Canal Fund, may be prepared and transmitted to the Legislature, in conformity to law.

L. S. CHATFIELD,

Attorney General,

S. E. CHURCH,

Lieut. Governor.

Mr. Elderkin moved to recall the said report from the printer.

Mr. Wheeler moved to lay said motion on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wheeler, and it was determined in the affirmative.

{ **AYES 68** }
{ **NOES 24** }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

O. Allen
Anthon

Chamberlin
Chittin

Glason
Statham

McLouth
Mascher

Southwick
Steeves

Atwood	Cooke	A. A. Gregory	Miles	Speaker
J. W. Babcock	Corser	W. S. Gregory	Nelson	O. C. Thompson
Backhouse	Dewey	Greene	Norton	Townsend
Baker	Douglass	H. Harris	Pardee	Tuthill
Belknap	Ellwood	Heath	E. Perry	Underwood
J. Benedict	Ely	Hewit	J. L. Perry	Varnum
T. H. Benedict	Farr	Hinds	Rouse	Wakeman
Bird	Feller	Humphrey	Rowe	Welden
Bishop	Fisk	Ingersoll	Rumsey	Wheeler
Bottum	Fitzhugh	Kellogg	Shultes	Whiteside
Campbell	Fordyce	Lake	A. Smith	
Carrington	Gilbert	Lesley		

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Those who voted in the negative are,

H. J. Allen	Congdon	Higby	Lewis	Stratton
Barnes	Davis	Horton	Minier	A. A. Thompson
Bowne	Dennison	Jayne	Rockwell	Wooster
Bushnell	French	Lawyer	Sickles	Wright
J. F. Clark	Hatch	Le Roy	E. T. Smith	

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Mr. Speaker presented the annual report of the Bowery savings banks, which was read and referred to the committee on bank and insurance companies.

Mr. Speaker presented an invitation from Independent Fulton fire company No. 3, of Utica, to attend their annual ball, on the evening of Feb. 7, 1851.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bills entitled as follows :

"An act to incorporate the New-York State, and National law school," which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on the judiciary.

"An act to postpone or change the time of holding the next town meeting, for the year 1851, in the town of Barker, county of Broome."

On motion of Mr. J. Benedict, and by unanimous consent,

The House then resolved itself into a committee of the whole on the bill entitled, as follows, to wit:

"An act to postpone or change the time of holding the next town meeting for the year 1851, in the town of Barker, in the county of Broome."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Baker, from said committee, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

A message from the Senate was received and read, informing that they had passed, without amendment, the bill entitled as follows :

"An act to extend the time for the collection of taxes, of 1850."

Ordered, That the Clerk deliver said bill to the Governor.

The bill entitled, "An act to repeal an act relating to highways in the town of Greenburgh," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirma-

tive, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative are,

Anthon	Colvin	A. A. Gregory	McLouth	A. Smith
Atwood	Congdon	Greene	Macomber	E. T. Smith
J. W. Babcock	Corser	L. Harris	Minier	Southwick
Backhouse	Dennison	Hatch	Moss	Stevens
Baker	Dewey	Heath	Nelson	Stewart
Barnes	Douglass	Higby	Pardee	Stratton
Belknap	Doyle	Hinds	E. Perry	Swords
J. Benedict	Elderkin	Horton	J. L. Perry	Speaker
T. H. Benedict	Ellwood	Hoppin	Pool	A. A. Thompson
Bird	Ely	Humphrey	Rockwell	O. C. Thompson
Bishop	Farr	Ingersoll	Rouse	Townsend
Bowne	Feller	Jayne	Rowe	Tuthill
Bradley	Fisk	Kellogg	Rumsey	Underwood
Bushnell	Fordyce	Lake	W. Russell	Varnum
Cady	French	Lawyer	Ryan	Wakeman
Carrington	Gilbert	Le Roy	Severance	Whiteside
Chamberlin	Gleason	Lesley	Sherman	Wooster
J. F. Clark	Graham	Lewis	Shultes	Wright 90

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to authorise the election of three trustees, and a district clerk in school district No. 16, in the village of Delhi," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative are,

Anthon	Colvin	W. S. Gregory	McLouth	Sickles
Atwood	Congdon	Greene	Macomber	A. Smith
J. W. Babcock	Corser	L. Harris	Miles	E. T. Smith
Backhouse	Davis	Hatch	Minier	Snell
Baker	Dennison	Heath	Moss	Southwick
Barnes	Dewey	Higby	Nelson	Stevens
Belknap	Douglass	Hinds	Pardee	Stewart
J. Benedict	Elderkin	Horton	E. Perry	Stratton
T. H. Benedict	Ellwood	Humphrey	Pool	Swords
Bishop	Ely	Ingersoll	Rockwell	Speaker
Bowne	Farr	Jayne	Rouse	O. C. Thompson
Bradley	Feller	Kellogg	Rowe	Tuthill
Bushnell	Fisk	Lake	Rumsey	Underwood
Cady	Gilbert	Lawyer	Ryan	Wakeman
Campbell	Gleason	Le Roy	Severance	Whiteside
Chamberlin	Graham	Lesley	Sherman	Wooster
J. F. Clark	A. A. Gregory	Lewis	Shultes	Wright 85

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to provide for the appraisal and payment of canal damages, to Josiah S. Kellogg, executor of the estate of Jacob Kellogg, deceased," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 87 }
{ NOES 02 }

Those who voted in the affirmative are,

Antho	Congdon	Hatch	Miles	E. T. Smith
Atwood	Corset	Heath	Minier	Snell
J. W. Babcock	Davis	Hewit	Moss	Southwick
Backhouse	Dennison	Higby	Nelson	Stratton
Baker	Dewey	Hinds	Pardee	Swords
Barnes	Douglass	Horton	E. Perry	Speaker
Belknap	Ellwood	Humphrey	J. L. Perry	O. C. Thompson
J. Benedict	Ely	Ingersoll	Pool	Townsend
Bird	Farr	Jayne	Rockwell	Tuthill
Bishop	Feller	Kellogg	Rouse	Underwood
Bradley	Fisk	Lake	Rowe	Varnum
Briggs	Fordyce	Lawyer	Rumsey	Wakeman
Bushnell	French	Le Roy	Ryan	Welden
Campbell	Gilbert	Lesley	Severance	Wheeler
Carrington	Gleason	Lewis	Sherman	Whitcomb
Chamberlin	Graham	McLouth	Shutes	Woolster
J. F. Clark	A. A. Gregory	Macomber	A. Smith	Wright
Colvin	Greene			

Those who voted in the negative are,

Elderkin Stewart

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend the act to authorize the election of local officers, to discharge the duties of county judge and surrogate in the counties of Orange, Chautauque, Cayuga, St. Lawrence, Tioga, Oneida, Jefferson and Oswego, passed April 10, 1849."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	J. F. Clark	Graham	Macomber	Snell
Antho	Colvin	A. A. Gregory	Minier	Southwick
Atwood	Cooke	Greene	Moss	Stevens
J. W. Babcock	Congdon	L. Harris	Nelson	Stewart
Backhouse	Corser	Hatch	Pardee	Stratton
Baker	Davis	Hewit	E. Perry	Swords
Barnes	Dennison	Higby	Pool	Speaker

Belknap	Douglass	Hinds	Rockwell	O. C. Thompson
J. Benedict	Elderkin	Horton	Rouse	Townsend
Bird	Eliwood	Humphrey	Rowe	Tuthill
Bishop	Ely	Ingersoll	Rumsey	Underwood
Bowne	Farr	Jayne	Severance	Varnum
Bradley	Feller	Kellogg	Sherman	Wakeman
Briggs	Fisk	Lake	Shultes	Welden
Bushnell	Fitzhugh	Lawyer	Sickles	Whiteside
Campbell	Fordyce	Le Roy	A. Smith	Wooster
Carrington	Gilbert	Lesley	E. T. Smith	Wright
Chamberlin	Gleason	McLouth		

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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Hatch offered for the consideration of the House, a resolution, in the words following, to wit :

Resolved, That a respectful request be transmitted to the Comptroller, that he will inform this House whether there is any evidence in his office to show that the sum of £538 19s. 1d., that appears to have been due to Capt. John Wood, on the 12th day of April, in the year 1785, or the interest thereon, has ever been paid.

Ordered, That the said resolution be laid upon the table.

In pursuance of previous notice, Mr. J. Benedict asked for and obtained leave to introduce a bill entitled, "An act to renew and extend the charter of the New-York mills fire co.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Townsend asked for and obtained leave to introduce a bill entitled, "An act to amend the charter of St. Luke's hospital," which was read the first time and by unanimous consent was also read a second time and referred to the committee on charitable and religious societies.

Mr. Elderkin gave notice that he would, at some early day, introduce a bill which shall authorise the Northern railroad company to construct a branch railroad from Potsdam depot to Potsdam village.

In pursuance of previous notice, Mr. A. Smith asked for and obtained leave to bring in a bill entitled, "An act to amend the charter of Westfield village, and to enlarge the powers of said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Wheeler asked for and obtained leave to bring in a bill entitled, "An act declaring Chateaugay river, a public highway, and regulating the passage of logs and lumber down the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Greene asked for and obtained leave to introduce a bill entitled, "An act to repeal an act entitled, 'An act to amend an act for the more effectual prevention of fires in the city of New-York,'" which was read the first time and by unanimous consent was also read a second time, and referred to a select committee consisting of the New-York delegation.

On motion of Mr. Swords,

Resolved, That the use of the Assembly chamber be granted to the N. Y. institution for the deaf and dumb, for the exhibition of their pupils on Thursday evening, 30th inst.

Mr. Gleason gave notice that he would at an early day, introduce a bill for an act empowering county treasurers to collect certain official fees that have heretofore accrued, and which still remain unpaid.

Mr. Varnum moved that the resolutions heretofore offered by him, in relation to the Union and compromise, be printed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Varnum, and it was determined in the affirmative.

Mr. Elderkin moved to take from the table the communication from the Attorney General, and Lieut. Governor, submitted this morning.

Mr. Speaker then put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the negative.

On motion of Mr. Wakeman,

Resolved, That the petition and papers on file in relation to the act for the regulation and government of pilots off Sandy Hook, be taken from the files, and referred to the committee on commerce and navigation.

Mr. Feller offered for the consideration of the House, a resolution, in the words following, to wit :

Resolved, That the Clerk be authorised to furnish for the use of the members and officers of this House, each a sufficient number of R. Higgin's improved port folios, and pay for the same out of the contingent fund.

Debate was had thereon,

Ordered, That said resolution be laid upon the table.

On motion of Mr. J. Benedict,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the papers on file in relation to the claim of Barnes & Hinham, for canal damages, be recommitted to the committee on claims.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Bowne gave notice that he would, at an early day, ask leave to introduce a bill to authorise the Commissioners of the Land Office to sell and release certain property to Benjamin Baily.

In pursuance of previous notice, Mr. Ely asked for and obtained leave to bring in a bill entitled, "An act to amend the several acts incorporating the village of Owego, in the county of Tioga," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Fordyce asked for and obtained leave to bring in a bill entitled; "An act authorising the town of Pittsford, in the county of Monroe, to raise money by tax to pay

the expense of laying out and opening a highway in the town of Perinton, Monroe co., from the Canandaigua road, near Bushnell's basin, to the Palmyra road, near Read's saw mill, in the said town of Perinton," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the Monroe county delegation.

On motion of Mr. Baker,

Resolved, That the 4th rule of order, of the Assembly, be suspended so far as to allow the bill to incorporate the city of Williamsburgh, to be referred to a select committee to report complete.

On motion of Mr. Baker,

Resolved, That the bill to incorporate the city of Williamsburgh, be referred to a select committee, consisting of the Kings county delegation, to report complete.

In pursuance of previous notice, Mr. Lyon asked for and obtained leave to bring in a bill entitled, "An act for the disposal of the remaining public lands by dividing them in sixty acre lots and giving them in fee to actual settlers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public lands.

In pursuance of previous notice, Mr. Cady asked for and obtained leave to introduce a bill entitled, "An act in relation to the district attorney of the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Greene gave notice that he would, at an early day, ask leave to introduce a bill to amend an act entitled, "An act to extend the charter of the firemen of city of New-York."

Mr. Bishop offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That John Underwood be admitted to a seat in this House pending his application for a seat in the place of Samuel Jayne, from Yates county, but that the said Underwood shall not be allowed to vote or take any part in the proceedings of this House, and that the Clerk of the House furnish him with stationery, newspapers, &c., the same as allowed to the members of this House.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. French moved that the petitions of settlers of Indian lands, presented this morning, be taken from the committee on Indian affairs and referred to the committee on public lands.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. French, and it was determined in the affirmative.

Mr. Wooster gave notice that he would, at an early day, ask leave to introduce a bill to confirm the election of Horatio Randall and Warren D. Cain, as justices of the sessions in and for the county of Herkimer.

Leave of absence was granted to Mr. Coffin for one week, and Mr. L. Harris for four days.

Mr. Backhouse gave notice that he would, at an early day, ask leave to introduce a bill authorising the trustees of the Capitol to enlarge the present building, so as to afford suitable accommodations in the Assembly chamber for members, and others having business with the Legislature.

Mr. Anthon called for the consideration of the joint resolution on the Union and slavery, offered by Mr. Underwood on the 21st Jan.

Mr. Anthon moved to refer said resolution to the judiciary committee, with instructions to report to-morrow at 12 o'clock.

Mr. Wakeman moved to amend by striking out the words "report to-morrow."

Mr. Underwood moved to lay the resolution and amendment on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Underwood, and it was determined in the affirmative.

On motion of Mr. Lyon,

Resolved, That the papers of James Hay be taken from the committee on public lands, and referred to the committee on the judiciary.

On motion of Mr. J. Benedict,

The House then resolved itself into a committee of the whole, on the bill entitled, as follows, to wit:

"An act to repeal an act entitled, 'An act providing for the registry of births, marriages and deaths,' passed April 20, 1847."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Horton, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act in relation to the auditing of town and county charges."

"An act to amend an act to provide for the incorporation of villages, and to confirm the official acts of certain officers."

"An act to amend article first, title first, chapter eighth, part second, of the Revised Statutes, entitled, 'Of marriages and the solemnization and proof thereof,' and the repeal of an act entitled, 'An act providing for the registering of births, marriages and death,' passed April 28, 1847."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Anthon, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

On motion of Mr. Underwood,

The House, at two o'clock, adjourned.

WEDNESDAY, JANUARY 29, 1851. :

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Conroy.-

The minutes of yesterday were read and approved.

Mr. Colvin presented the petition of S. Williams, and 62 others, to compel the Rochester and Syracuse railroad companies, to lay down a double track on their railroad, through Auburn, Seneca Falls, Waterloo, Geneva, and Canandaigua, which was read and referred to the committee on railroads.

Mr. Dennison presented two several petitions of sundry inhabitants of the county of Onondaga, praying for the repeal of the law for the registry of births, marriages and deaths, which were read and referred to the committee of the whole having charge of that subject.

Mr. O. C. Thompson presented five several petitions of inhabitants of the county of Rensselaer, to stay the collection of rents on manorial lands in said county, which were read and referred to the select committee on that subject.

Mr. Welden presented the petition of 192 citizens of Essex co., to prohibit the sale of spirituous liquors as a beverage, which was read and referred to the select committee on that subject.

Mr. LeRoy presented four remonstrances of sundry citizens of Onondaga co., against a diversion of the waters of the Seneca river, and the Erie canal, by the Great Sodus bay canal, which were read and referred to the committee on canals.

Mr. O. C. Thompson presented the remonstrance of sundry inhabitants of Rensselaer co., against any special privilege being given to the city of Troy, and village of Lansingburgh, with regard to common schools, or distribution of school monies, in said city or village, except such as are granted to other cities and villages of this State, which was read and referred to the committee on colleges, academies and common schools.

Mr. Varnum presented the memorial of Schmidt & Balchen, and 24 others, shipping merchants of the port of New-York, praying the Legislature to reimburse to them certain moneys now in the treasury, which were illegally paid, which was read and referred to the committee on ways and means.

Mr. Hoppin presented the petition of Levi Brown, for relief, which was read and referred to the committee on grievances.

Mr. Hoppin presented the petition of Benjamin L. Choate, for relief, which was read and referred to the committee on grievances.

Mr. Gleason presented the remonstrance of 104 citizens of the town of Gilboa, in the county of Schoharie, against the erection of a new county out of parts of Greene, Schoharie, and Delaware counties, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Varnum presented the petition of the trustees of Geneva college, asking the Legislature to compensate them for expenses to which they were subjected, under an act of the Legislature, passed in 1838, which was read and referred to the committee on claims.

Mr. J. Benedict presented the petition of Andrew Rockwell, & Co., for relief, on account of the suspension of the public works, which was read and referred to the committee on grievances.

Mr. Ingersoll presented the petition of the Chenango county temperance society, for a law which shall prohibit the sale of intoxicating liquors as a beverage, under adequate penalties, which was read and referred to the select committee on that subject.

Mr. Underwood presented the petition of 92 citizens of Cayuga county, to compel the Rochester and Syracuse railroad company, to lay down a double track on the line of road passing through Auburn, Seneca Falls, Waterloo, Geneva and Canandaigua, which was read and referred to the committee on railroads.

Mr. Underwood presented the petition of 40 citizens of Aurelius, Cayuga county, for a renewal of the charter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. Hinds presented the petition of Frederick Eggleston, and 79 others, of the town of Triangle, Broome county, for the repeal of the new school law, which was read and referred to the committee on colleges, academies, and common schools.

Mr. French presented the petition of Hezekiah Sage, for relief, which was read and referred to the committee on grievances.

Mr. Shultes presented the petition of B. R. & R. L. Spelman, and 240 merchants and citizens of Albany, to extend the New-York auction law to the city of Albany, which was read and referred to the committee on trade and manufactures.

Mr. Shultes presented the petition of John H. Snyder, and others, of Albany county, for an act authorising a stay of the collection of rents on manorial lands, while the title thereto are being contested on behalf of the State, and for other purposes, which was read and referred to the select committee on that subject.

Mr. Cook presented two remonstrances of citizens of Greene co., against the formation of a new county from parts of Greene, Schoharie, and Delaware, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Anthon presented the petition of 649 inhabitants of Richmond co., for protection against the unlawful acts of the authorities of New-York, in relation to the oyster fisheries, in New-York and Newark bays, which was read and referred to the select committee on that subject.

Mr. Bottum presented nine several petitions of citizens of Wayne co., against a division of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Bottum presented 17 petitions of citizens of Wayne co., for recharter of Sodus canal company, which was read and referred to the committee on canals.

Mr. Wright presented the petition of E. C. Wright, of Otsego

county, for relief, which was read and referred to the committee on grievances.

Mr. Hatch presented the remonstrance of citizens of Oswego co., against a diversion of the waters of Seneca river, and the Erie canal, to great Sodus bay canal, which was read and referred to the committee on canals.

Mr. Jayne presented the petition of 365 inhabitants of the county of Yates, praying for a repeal of the present school law, and for the abolition of State and town superintendents of common schools, which was read and referred to the committee on colleges, academies and common schools.

Mr. Jayne presented the petition of 70 voters of Dundee, in favor of the bill to amend the charter of said village, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Bottum presented three petitions of citizens of Wayne co., for a division of said county, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Ferris presented the petition of sundry citizens of Canisteo, Steuben co., for a law making Addison a half shire-town in said co., which was read and referred to the committee of the whole on that subject.

Mr. Bottum presented the remonstrance of 96 electors of Macedon, Wayne co., against a division of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Noble presented the petition of citizens of Warren county, for a law to be submitted to the people, prohibiting the sale of intoxicating liquors as a beverage, which was read and referred to the select committee on that subject.

Mr. Noble presented the petition of inhabitants of Warren county, for laying out a highway from Wells, Hamilton co., to Johnsbury, Warren county, and applying non-resident highway tax, upon said road, which was read and referred to the committee on roads and bridges.

Mr. Rockwell presented the remonstrance of 38 inhabitants of the county of Schoharie, against the division of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Bottum presented the petition of 200 citizens of Huron, Wayne county, for recharter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. E. T. Smith presented the petition of inhabitants of Suffolk co., for the repeal of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Rockwell presented the remonstrance of 39 inhabitants of Schoharie county, against a division of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Burroughs presented the petition of Hiram Gilman, and fifty others, inhabitants of Clarendon, Orleans county, for a law to prohi-

bit the sale of spirituous liquors, under a penalty of fine and imprisonment, which was read and referred to the select committee on that subject.

Mr. Stevens presented the petition of sundry inhabitants of Onondaga and Oswego counties, for a law authorising the Canal Commissioners to lower the Phoenix dam, on the Oswego river, which was read and referred to the committee on canals.

Mr. Stevens presented the petition of Jefferson Freeman, and 61 inhabitants of Clay, Onondaga county, for a law authorising the Canal Commissioners to take charge of the draw and guard of the bridge over the Oneida river, which was read and referred to the committee on canals.

Mr. O. Allen presented the petition of 70 stockholders of the Attica and Hornelsville railroad company, residing at and in the vicinity of Warsaw, for an amendment to their charter, which was read and referred to the committee of the whole on that subject.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred that portion of the Governor's message which relates to banks and insurance companies, reported, and asked and obtained leave to bring in a bill entitled, "An act to detach the Bank Department from the office of the Comptroller, and to erect said department into a distinct office, to be placed under the charge of an auditor," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred that part of the Governor's message which relates to banks and insurance companies, reported, and asked and obtained leave to bring in a bill entitled, "An act in relation to companies transacting business of life insurance within this State," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred the bill entitled, "An act to incorporate the Williamsburgh savings bank," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred the bill entitled, "An act to incorporate the Northern New-York live stock insurance company," reported the same for consideration.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred the petition of sundry inhabitants of Rome, Oneida co., asking for the incorporation of the Rome savings bank, reported, and asked and obtained leave to bring in a bill entitled, "An act to incorporate the Rome savings bank," which was read.

the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred the petition of sundry inhabitants of Rome, Oneida co., for the incorporation of the Oneida co. savings bank, reported adversely, and asked to be discharged from the further consideration of said petition, which report was agreed to.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act in relation to the district attorney of the county of Kings," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to renew and extend the charter of the New-York mills fire company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of Richard Crawther and others, to confirm their title to certain lands in Westchester co., reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of the devisees of William Crawther," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Backhouse, from the committee on grievances, to which were referred the petitions of sundry individuals, in relation to a piece of land belonging to the State, situate in the town of Wolcott, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the Commissioners of the Land Office to adjust certain claims to a piece of land belonging to the State, in the town of Wolcott, by sale or otherwise," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Backhouse, from the committee on grievances, to which was referred the petition of Shuler Cady, for relief, reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of Shuler Cady," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Elwood, from the committee on militia and public defence, to which was referred the petition of sundry inhabitants of St. Lawrence co., for a repeal or modification of the militia law, reported, and asked and obtained leave to bring in a bill entitled, "An act to amend the militia laws of the State of New-York, and in addition thereto," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lyon from the committee on public lands, to which was referred the memorial of the trustees of the Auburn academy, asking a grant or release to the said academy of a piece of land owned by the State, reported, and asked and obtained leave to bring in a bill entitled, "An act to release unto the Auburn academy a lot of land lying in the city of Auburn," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

The hour of 12 having arrived, Mr. Speaker announced the special order of the day, being the bills entitled, "An act making appropriations for the state prisons at Sing Sing and Clinton," and "An act in relation to the state prisons of this State and the prison farm at Sing Sing."

Mr. Elderkin moved that they be re-committed to the committee on state prisons.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, to amend, and it was determined in the affirmative.

The Senate bill entitled, "An act to postpone or change the time of holding the next town meeting, for the year 1851, in the town of Barker, county of Broome," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Carrington	Gleason	Lewis	Shultes
O. Allen	Chamberlin	Graham	McLouth	A. Smith
Anthon	J. F. Clark	A. A. Gregory	Macomber	E. T. Smith
Atwood	Colvin	W. S. Gregory	Miles	Snell
J. W. Babcock	Cooke	Greene	Minier	Southwick
Backhouse	Corser	H. Harris	Moss	Stevens
Baker	Davis	Hatch	Nelson	Stewart
Barnes	Dennison	Heath	Noble	Stillwell
Belknap	Dewey	Hewit	Pardee	Stratton
J. Benedict	Douglass	Horton	E. Perry	Swords
Bird	Doyle	Hoppin	J. L. Perry	Speaker
Bishop	Elderkin	Humphrey	Pool	O. C. Thompson
Bottum	Ely	Ingersoll	Rider	Tuthill
Bowne	Farr	Jayne	Rockwell	Underwood
Bradley	Ferris	Kellogg	Rouse	Wakeman
Briggs	Feller	Lake	Rowe	Welden
Burroughs	Fisk	Lawyer	W. Russell	Wheeler
Bushnell	Fitzhugh	Leggett	Ryan	Whiteside
Cady	Fordyce	Le Roy	Shall	Wooster
Campbell	Gilbert	Lesley	Sherman	Wright 100

Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have passed the same without amendment.

A message from the Senate was received and read, informing that they had passed without amendment, the bill entitled, as follows:

"An act for the relief of Sarah McFrances."

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Bishop,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That John Underwood be admitted to a seat in this House pending his application for a seat in the place of Samuel Jayne, from Yates county, but that the said Underwood shall not be allowed to vote or take any part in the proceedings of this House, and that the Clerk of the House furnish him with stationery, newspapers, &c., the same as allowed to the members of this House.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. Varnum,

Resolved, That the bill entitled, "An act to repeal an act providing for the registry of births, marriages and deaths," and the bill to amend the section of the Revised Statutes, entitled, "Of marriage and the solemnization, and the proofs thereof," be taken from the committee of the whole and referred to a select committee.

On motion of Mr. Fitzhugh,

Resolved, That the petition of Oliver Culver and the papers accompanying the same, be taken from the files of this House and referred to the canal committee.

Mr. J. Benedict gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the Erie county savings bank at Buffalo.

Mr. J. Benedict offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the communication made to this House by the Attorney General and Lieutenant Governor, be taken from the table and referred to a select committee of three to report thereon with all convenient speed.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. A. A. Thompson moved that the resolutions of Mr. Underwood, on the subject of the compromise, &c., be taken from the table for the consideration of the House.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. A. A. Thompson, and it was determined in the negative.

{ AYES 44 }
{ NOES 63 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen
Anthon

Colvin
Congdon

W. S. Gregory
Greene

Pool
Rider

Stillwell
Stratton

Atwood	Dennison	Hatch	Rockwell	Swords
Barnes	Dewey	Jayne	W. Russell	A. A. Thompson
Bird	Doyle	Lawyer	Shall	O. C. Thompson
Bowne	Elderkin	Le Roy	Sickles	Varnum
Burroughs	Ferris	Lewis	E. T. Smith	Wooster
Bushnell	Fitzhugh	Minier	Snell	Wright
J. F. Clark	French	E. Perry	Stewart	

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Those who voted in the negative are,

O. Allen	Chamberlin	A. A. Gregory	Macomber	Shultes
J. W. Babcock	Cooke	H. Harris	Miles	A. Smith
Backhouse	Corser	Heath	Moss	Southwick
Baker	Douglass	Hewitt	Nelson	Stevens
Belknap	Ellwood	Hinds	Noble	Speaker
J. Benedict	Ely	Hoppin	Norton	Townsend
T. H. Benedict	Farr	Humphrey	Pardee	Tuthill
Bishop	Feller	Ingersoll	J. L. Perry	Underwood
Bradley	Fisk	Kellogg	Rouse	Wakeman
Briggs	Fordyce	Lake	Rowe	Welden
Cady	Gilbert	Leggett	Rumsey	Wheeler
Campbell	Gleason	Lesley	Sherman	Whiteside
Carrington	Graham	McLouth		

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Mr. A. A. Thompson offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That it is due to the people of this State, that this House do express its sentiments and opinions upon the resolutions of Mr. Underwood, now upon the table of this House, before the day appointed for the election of United States Senator.

Debate was had thereon,

Ordered, That said resolution be laid upon the table.

Mr. Tuthill offered for the consideration of the House, a resolution, in the words following, to wit :

Resolved, That the reporters of this House be furnished, each with a copy of the books furnished to the members of this House.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. Anthon offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the judiciary committee has shown a highly culpable degree of negligence, in failing to consider, and report the various resolutions on the subject of the compromise, and that the said committee be, and hereby is discharged from the further consideration of said resolutions.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. Ingersoll offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the officers of this House be furnished with a portfolio, in the same manner that the members of this House are to be furnished, under a previous resolution of this House.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. Bradley offered for the consideration of the House, a preamble and resolutions, in the words following, to wit :

Whereas, Free citizens of non-slaveholding States, have been imprisoned by South Carolina, in direct violation of that clause of the Constitution which guarantees that the citizens of each State, shall be entitled to all privileges and immunities of citizens of the several States.

And whereas, Congress in enacting the present fugitive slave law, have done all in their power to secure to the slave holder, his alleged right in slaves; therefore,

Resolved, (If the Senate concur,) That our Senators in Congress be instructed, and our Representatives requested, to use all honorable means to secure the passage of a law to prevent the recurrence of a like outrage on the rights of citizens of the free States, and violation of the Constitution of the United States.

Resolved, (If the Senate concur,) That the Governor of this State be requested to furnish each of our Senators and Representatives in Congress, a copy of the foregoing preamble and resolutions.

Ordered, That the said resolutions be laid upon the table.

On motion of Mr. Hatch,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That a respectful message be transmitted to the Comptroller, that he will inform this House whether there is any evidence in his office to show that the sum of £538 19s. 1d., that appears to have been due to Capt. John Wood, on the 12th day of April, in the year 1785, or the interest thereon, has ever been paid.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

In pursuance of previous notice, Mr. Gleason asked for and obtained leave to bring in a bill entitled, "An act to provide for the collection of unpaid fees and perquisites for official services rendered by the county judges and surrogates which accrued upon or after the 1st Monday of July, 1847, and prior to the 2d day of April, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Noble gave notice that at an early day, he would ask leave to introduce a bill for the laying out, and construction of a road from the town of Johnsburgh, in the county of Warren, to the town of Wells, in the county of Hamilton, and to apply non-resident highway taxes on said road.

Mr. Horton offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, (If the Senate concur,) That the joint resolutions adopted by the Legislature of this State on the 15th of Feb., 1850, were faithful and true expressions of the opinions of the people of this State, and that the same opinions are still entertained.

Ordered, That said resolution be laid upon the table.

Mr. Ellwood gave notice that he would, at an early day, ask leave to introduce a bill defining the powers of canal superintendents.

Mr. E. Perry gave notice that he would, at an early day, ask leave to bring in a bill, an act to provide for the election of a police justice in and for the village of Cohoes.

Mr. E. Perry gave notice that it was his intention, at an early day to introduce a bill to amend the charter of the Albany cemetery association.

In pursuance of previous notice, Mr. Wooster asked for and obtained leave to bring in a bill entitled, "An act to confirm the election of Horatio Randall and Warren D. Cain, as justices of the sessions in and for the county of Herkimer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Greene asked for and obtained leave to introduce a bill entitled, "An act to amend an act to extend the charter of the firemen of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the New-York delegation.

On motion of Mr. Feller,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the Clerk be authorised to furnish for the use of the members and officers of this House, each a sufficient number of improved port folios, and pay for the same out of the contingent fund.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

Mr. Elderkin offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the papers purporting to be a report of the Commissioners of the Canal Fund be referred to a select committee.

Debate being had thereon,

Ordered, That the said resolution be laid upon the table.

In pursuance of previous notice, Mr. Bowne asked for and obtained leave to bring in a bill entitled, "An act to authorise the Commissioners of the Land Office to sell and release certain property to Benj. Bailey," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public lands.

Mr. Ferris gave notice that he would, at an early day, ask leave to bring in a bill to amend the charter of the Cayuga and Susquehanna railroad company

Mr. Burroughs gave notice that he would, on some future day, ask leave to bring in a bill for the relief of the Medina and Alabama plank road company.

Mr. Underwood gave notice that he would at some future day, ask leave to introduce a bill to compel the Rochester and Syracuse railroad company to construct a double track on the line of road

passing through Auburn, Seneca Falls, Waterloo, Geneva and Canandaigua.

The House then resolved itself into a committee of the whole on the bills entitled, as follows, to wit:

"An act in relation to the auditing of town and county charges."

"An act to amend an act to provide for the incorporation of villages, and to confirm the official acts of certain officers."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Anthon, from said committee, reported that the committee had gone through said bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That the said bills be engrossed for a third reading.

On motion of Mr. O. Allen,

The House then resolved itself into a committee of the whole on the bill entitled, as follows, to wit:

"An act to extend the operation and effect of the act passed Feb. 17, 1848, entitled, 'An act to authorise the formation of corporations for manufacturing, mining, mechanical, or chemical purposes.'"

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Cady, from said committee, reported that the committee had gone through said bills, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

On motion of Mr. Varnum,

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to amend the act entitled, 'An act to incorporate the Life savings benevolent association of New-York.'"

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Backhouse, from said committee, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

On motion of Mr. Stratton,

The House then resolved itself into a committee of the whole, on the bill entitled, as follows, to wit:

"An act to incorporate the Monticello academy."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wakeman, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act for the relief of William Sternburgh."

"An act relative to the penitentiary of Onondaga county."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Underwood, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

Mr. Underwood, from said committee, reported progress on said second mentioned bill, and asked and obtained leave to sit again.

On motion of Mr. Tuthill,
The House, at two o'clock, adjourned.

THURSDAY, JANUARY 30, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Davenport.

The minutes of yesterday were read and approved.

Mr. Varnum presented the remonstrance of Edward Macomber, and Sarah, his wife, against granting the prayer of George A Powers, and Mary Louisa Powers, for permission to sell or mortgage certain real estate, which was read and referred to the committee on the judiciary.

Mr. Corser presented two petitions of citizens of Monroe county, for a repeal of the free school law, abolition of the Normal school, and State journal, and the office of State and town superintendents, which were read and referred to the committee on colleges, academies and common schools.

Mr. Fisk presented the petition of a large number of citizens of Pembroke, for repeal or modification of the free school law, which was read and referred to the committee on colleges, academies, and common schools.

Mr. Rockwell presented two remonstrances of sundry inhabitants of Schoharie county, against a division of said county, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Higby presented two remonstrances of sundry citizens of Prattsburgh, Steuben co., against the erection of a half shire or any division of said county, which were read and referred to the committee of the whole having charge of that subject.

Mr. Yeomans presented the remonstrance of 104 electors of Savannah, against a division of Wayne county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Pardee presented the petition of citizens of the county of Ontario, for the repeal of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Maurice presented a petition for an act to establish a goal in Newtown, Queens co., which was read and referred to the committee on the judiciary.

Mr. Hatch presented the remonstrance of sundry citizens of Oswego county, against the diversion of waters of the Oswego river, to

the Sodus canal, which was read and referred to the committee on canals.

Mr. Shultes presented the petition of Benjamin Green, and 40 other citizens of Albany county, for an act authorising a stay of the collection of rents on manorial lands, while the titles thereto are being contested on behalf of the State, and others, which was read and referred to the select committee on that subject.

Mr. Gilbert presented the petition of tax payers of Jefferson co., for such amendment of the existing assessment laws, as will cause the burthen of taxation to fall equally upon all the property of the State, whether real or personal, and without distinction as to the business in which it may be engaged, which was read and referred to the select committee on that subject.

Mr. A. A. Gregory presented the petition of 150 citizens of Cattaraugus county, for an appropriation to the Genesee college, which was read and referred to the committee on colleges, academies, and common schools.

Mr. Wakeman presented the petition of four life insurance companies of the city of New-York, for an act providing for the accurate registration of births and deaths, which was read and referred to the select committee on that subject.

Mr. J. Benedict presented the petition of inhabitants of the town of Vernon, for relief, which was read and referred to the committee on grievances.

Mr. Le Roy presented the petition of 64 citizens of Clay, Onondaga co., for a law prohibiting the sale of intoxicating drinks, which was read and referred to the select committee on that subject.

Mr. Rouse presented the remonstrance of John Wylie and 50 others, against an act appointing commissioners to extend the highway on town line of Vernon and Verona in Oneida co., and a map thereof, which was read and referred to the committee of the whole on that subject.

Mr. Hatch presented the remonstrance of citizens of Oswego co., against the diversion of waters belonging to the Oswego river to the Sodus bay canal, which was read and referred to the committee on canals.

Mr. Pardee presented the remonstrance of citizens of Macedon, Wayne co., against any division thereof, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Noble presented the petition of Wm. H. Pease, of Bolton, Warren co., for a change of name, which was read and referred to the committee on the judiciary.

Mr. Noble presented the petition of citizens of Warren, for a law to be submitted to the people for prohibiting the sale of intoxicating liquors as a beverage, which was read and referred to the select committee on that subject.

Mr. Miles presented the petitions of sundry citizens of the town of Orange, Steuben co., for the passage of a law making the town of Addison a half shire-town in said co., which were read and referred to the committee of the whole on that subject.

Mr. Underwood presented the petition of W. Howard and others, farmers, for an appropriation of money to place a copy of "Blake's farmer's every day book" in each of the common school libraries of this State, which was read and referred to the committee on colleges, academies and common schools.

Mr. Sickles presented the petition of the trustees of the Nyack turnpike, for the renewal of their charter, which was read and referred to the committee on roads and bridges.

Mr. Maurice presented the petition of E. A. Cressey and 84 other citizens, for a law against the introduction of nuisances into Queens co., which was read and referred to the committee on the judiciary.

Mr. O. C. Thompson presented the petition of inhabitants of Rensselaer co., for a law to stay the collection of rents in certain cases, which was read and referred to the select committee on that subject.

Mr. McLouth presented seven petitions of inhabitants of Ontario and Seneca counties, for a law making an appropriation to protect the roads from storms on the beach of Seneca lake and prevent the same from inundation, which were read and referred to the committee on canals.

Mr. Lesley presented the petition of T. W. Blatchford, president of the board of education of Troy, and 158 others, for putting a copy of Webster's unabridged dictionary into every district school in the State, which was read and referred to the committee on colleges, academies and common schools.

Mr. Yeomans presented two petitions of sundry citizens of Wayne co., for the recharter of the Sodus canal company, which were read and referred to the committee on canals.

Mr. Ferris presented the petition of H. K. Webster and 236 other inhabitants of Tompkins co., for renewal of the charter of the Sodus canal co., which was read and referred to the committee on canals.

Mr. Ely presented the petition of 195 citizens of Tioga county, for a law which shall prohibit, under adequate penalties, the sale of intoxicating drinks, which was read and referred to the select committee on that subject.

Mr. Yeomans presented the petition of 8 citizens of Lyons, Wayne county, for a release of land formerly occupied by the Erie canal, to the original owners thereof; which was read and referred to the committee on canals.

Mr. Yeomans presented the petition of citizens of Macedon, and Palmyra, Wayne county, for the abolition of the law for capital punishment, which was read and referred to the select committee on that subject.

Mr. Yeomans presented seven remonstrances of citizens of the county of Wayne, against the division of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Jayne presented three petitions from citizens of Yates county, for renewal of Sodus canal charter which was read and referred to the committee on canals.

Mr. Yeomans presented 43 petitions of 1512 citizens of the towns

of Ontario, Williamson, Marion, Macedon, Palmyra and Arcadia, in Wayne co., for a division of said co., which was read and referred to the committee on the erection and division of towns and counties.

Mr. Higby presented the petition of sundry citizens of Prattsburgh, Steuben co., for the unconditional repeal of the present school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. E. T. Smith presented the petition of inhabitants of Suffolk co., for the repeal of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Graham presented the petition of Benjamin Reason, for a modification of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Speaker announced the following select committee on the bills concerning the registry of births, marriages and deaths, and the statutes relative to marriages and the solemnization and the proofs thereof: Messrs. Varnum, Le Roy, Tuthill, J. L. Perry, and H. J. Allen.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to amend the several acts incorporating the village of Owego, in the county of Tioga," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to amend the charter of Westfield village, and to enlarge the powers of the trustees of said village," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Baker, from the committee on the incorporation of cities and villages, to which were referred several petitions in relation to the village of Fort Edward, in the county of Washington, reported, and asked and obtained leave to bring in a bill entitled, "An act to amend the act passed Dec. 7, 1847, of the incorporation of villages, as to the village of Fort Edward, Washington county," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to amend an act entitled, 'An act to incorporate the village of Franklin, in the county of Delaware,' passed May 12, 1836," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Baker, from the committee on the incorporation of cities and

villages, to which the petition of the common council of the city of Rochester, for permission to widen the alley leading from Court-st. to the county jail in said city, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the common council of the city of Rochester to widen the alley leading from Court-st. to the county jail in said city," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bird, from the committee on the internal affairs of towns and counties, to which was referred the petition of inhabitants of Yonkers, Westchester co., asking for the establishment of a ferry from Yonkers to the opposite shore of the Hudson river, reported, and asked and obtained leave to bring in a bill entitled, "An act to incorporate the Yonkers ferry company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the petition of sundry inhabitants of Warren co. for the laying out of a highway from Wells, Hamilton co., to Johnsburch, Warren co., reported, and asked and obtained leave to bring in a bill entitled, "An act for the laying out and construction of a road from the town of Johnsburch, Warren co., to the town of Wells, Hamilton co.," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which were referred the petitions of 341 inhabitants of the towns of Alden, Lancaster and Cheektewaga, in the county of Erie, asking for the amendment of the act passed March 29, 1848, appointing commissioners for the improvement of Cayuga creek road, reported, and asked and obtained leave to bring in a bill entitled, "An act authorising the commissioners on the Western section of Cayuga creek road to build bridges thereon," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act for the relief of William Sternburgh."

"An act to amend an act to provide for the incorporation of villages, and to confirm the official acts of certain officers."

"An act to extend the operation and effect of the act passed Feb. 17, 1848, entitled, 'An act to authorise the formation of corporations for manufacturing, mining, mechanical, or chemical purposes.'"

"An act to amend the act entitled, 'An act to incorporate the Life savings benevolent association of New-York.'"

"An act in relation to the auditing of town and county charges."

Ordered, That said bills be read the third time.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to provide for the collection of unpaid fees and perquisites for official services rendered by the county

judges and surrogates, which accrued upon or after the 1st Monday of July, 1847, and prior to the 2d day of April, 1849," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to confirm the election and designation of Horatio Randall, and Warren D. Cain, as justices of the sessions, in and for the county of Herkimer," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

On motion of Mr. Wooster, and by unanimous consent,

The House then resolved itself into a committee of the whole, on the bill entitled, as follows, to wit:

"An act to confirm the election and designation of Horatio Randall, and Warren D. Cain, as justices of the sessions, in and for the county of Herkimer."

And after some time spent thereon, Mr. Speaker resumed the chair and Mr. Pardee, from said committee, reported, that they had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Wakeman, from the committee on commerce and navigation, to which was referred the bill entitled, "An act to amend an act entitled 'An act to provide for the incorporation and regulation of telegraph companies,' passed April 12, 1848," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Norton, from the committee on printing, reported in favor of the resolution heretofore offered, in the words following, to wit:

Resolved, That ten times the usual number of the report of the agricultural committee, with the accompanying bill, be printed.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Atwood, from the committee on expenditures, to which was referred the petition of F. McKeever, for relief, reported, that said petition did not appropriately belong to said committee, and therefore asked to be discharged from the further consideration of said petition.

Mr. Speaker then put the question whether the House would agree to the report of the said committee, and it was determined in the affirmative.

Mr. Speaker presented the annual report of the New-York State agricultural society.

Mr. Burroughs offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That twice the number of copies of the report of the New-York State agricultural society, printed at the last session of the Legislature, be printed for the use of the Legislature; one thousand copies for the use of the Society; five hundred copies for the use of the American Institute; and forty copies for each county in the State, for the use of the agricultural societies in said counties; and that the same be printed and bound under the direction of the Executive committee of the New-York State agricultural society, in a manner similar to the reports of previous years.

Debate being had thereon,

Ordered, That said resolution be laid on the table.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bills entitled as follows :

"An act to authorise a release of the amount due upon a decree against Henry Talmadge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act in relation to railroad corporations."

Mr. Lesley moved to refer said bill to a select committee.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Lesley, and it was determined in the affirmative.

The Senate returned the concurrent resolution, in relation to the election of United States Senator, with a message informing that they had concurred in the same.

The following concurrent resolution was received from the Senate, to wit :

Resolved, (If the Assembly concur,) That the two Houses of Legislature will proceed, on the fourth day of February next, at 12 o'clock, at noon, to the election of a Regent of the University, in the place of Peter Wendell, deceased.

The Senate returned the proposed joint rules of Senate and Assembly, with a message, informing, that they had made some amendments therein.

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the negative.

The bill entitled, "An act to extend the operation and effect of the act passed Feb. 17, 1848, entitled, 'An act to authorise the formation of corporations for manufacturing, mining, mechanical, and chemical purposes,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{	AYES	96	}
{	NOES	00	}

Those who voted in the affirmative are,

H. J. Allen	Corser	H. Harris	Maurice	A. Smith
O. Allen	Davis	Hatch	Minier	E. T. Smith
Atwood	Dennison	Heath	Moss	Snell
R. Babcock	Dewey	Higby	Nelson	Southwick
J. W. Babcock	Douglass	Hinds	Noble	Stevens
Backhouse	Doyle	Horton	Norton	Stewart
Barnes	Elderkin	Hoppin	Pardee	Stilwell
Belknap	Ely	Humphrey	E. Perry	Stratton
J. Benedict	Ferris	Ingersoll	J. L. Perry	Swords
T. H. Benedict	Feller	Jayne	Rockwell	Speaker
Bird	Fisk	Kellogg	Rouse	A. A. Thompson
Bishop	Fitzhugh	Lake	Rowe	O. C. Thompson
Bowne	Fordyce	Lawyer	Rumsey	Tuthill
Briggs	Gilbert	Leggett	W. Russell	Underwood
Bushnell	Gleason	Le Roy	Ryan	Welden
Cady	Graham	Lesley	Shall	Wheeler
Carrington	A. A. Gregory	Lyon	Sherman	Whiteside
J. F. Clark	W. S. Gregory	McLouth	Shultes	Wooster
Colvin	Greene	Macomber	Sickles	Wright
Congdon				

96

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Speaker announced as the select committee on the Senate bill in relation to railroad companies, Messrs. Lesley, Varnum, Horton, Humphrey, and Norton.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled, as follows, to wit:

"An act to confirm the election of Horatio Randall and Warren D. Cain, as justices of the sessions in and for the county of Herkimer."

The said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Carrington	Heath	Maurice	Sickles
Anthon	J. F. Clark	Howit	Miles	A. Smith
Atwood	Colvin	Higby	Minier	Southwick
J. W. Babcock	Congdon	Hinds	Nelson	Stevens
Backhouse	Douglass	Horton	Noble	Stewart
Baker	Elderkin	Hoppin	Norton	Stillwell
Barnes	Ely	Humphrey	Pardee	Stratton
Belknap	Farr	Ingersoll	E. Perry	Swords
J. Benedict	Ferris	Jayne	J. L. Perry	Speaker
T. H. Benedict	Feller	Kellogg	Rockwell	A. A. Thompson
Bird	Fisk	Lake	Rouse	O. C. Thompson
Bishop	Fitzhugh	Lawyer	Rowe	Tuthill
Bottom	French	Leggett	Rumsey	Welden
Bowne	Gilbert	Le Roy	W. Russell	Wheeler
Bradley	Gleason	Lesley	Ryan	Whiteside

Briggs	Graham	Lyon	Shall	Wooster
Burroughs	A. A. Gregory	McLouth	Sherman	Wright
Bushnell	W. S. Gregory	Macomber	Shultes	Yeomans
Cady	Hatch			

92

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act for the relief of William Sternburgh," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 98 }
 { NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Colvin	A. A. Gregory	Macomber	Shultes
Anthon	Congdon	W. S. Gregory	Maurice	Sickles
Atwood	Corser	Greene	Miles	A. Smith
R. Babcock	Davis	H. Harris	Minier	E. T. Smith
J. W. Babcock	Dennison	Hatch	Moss	Snell
Backhouse	Dewey	Heath	Nelson	Southwick
Barnes	Douglass	Hewit	Noble	Stevens
Belknap	Doyle	Higby	Norton	Stewart
J. Benedict	Elderkin	Horton	Pardee	Speaker
T. H. Benedict	Ely	Hoppin	E. Perry	A. A. Thompson
Bird	Farr	Humphrey	J. L. Perry	O. C. Thompson
Bishop	Ferris	Ingersoll	Pool	Townsend
Bowne	Feller	Kellogg	Rider	Tuthill
Bradley	Fisk	Lake	Rouse	Varnum
Briggs	Fitzhugh	Lawyer	Rowe	Wakeman
Burroughs	Fordyce	Leggett	Rumsey	Welden
Bushnell	French	Le Roy	W. Russell	Whiteside
Cady	Gilbert	Lesley	Shall	Wright
Carrington	Gleason	Lyon	Sherman	Yeomans
J. F. Clark	Graham	McLouth		

93

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend an act to provide for the incorporation of villages, and to confirm the official acts of certain officers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 93 }
 { NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Davis	Higby	Nelson	E. T. Smith
Anthon	Dennison	Hinds	Noble	Snell
Atwood	Douglass	Horton	Norton	Southwick
R. Babcock	Doyle	Hoppin	Pardee	Stevens

J. W. Babcock	Elderkin	Humphrey	E. Perry	Stewart
Barnes	Ely	Ingersoll	Pool	Stilwell
J. Benedict	Farr	Kellogg	Rider	Stratton
T. H. Benedict	Ferris	Lake	Rockwell	Swords
Bird	Feller	Lawyer	Rouse	Speaker
Bishop	Fisk	Leggett	Rowe	A. A. Thompson
Bradley	Fitzhugh	Le Roy	Rumsey	O. C. Thompson
Briggs	Gilbert	Lesley	W. Russell	Tuthill
Burroughs	Gleason	Lyon	Ryan	Wakeman
Carrington	Graham	McLouth	Shall	Welden
Chamberlin	A. A. Gregory	Macomber	Sherman	Wheeler
J. F. Clark	W. S. Gregory	Maurice	Shultes	Whiteside
Colvin	Hatch	Miles	Sickles	Wright
Congdon	Heath	Minier	A. Smith	Yeomans
Corser	Hewit	Moss		

93

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to increase the number of managers of the Life Savings benevolent association of the city of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Congdon	Heath	Nelson	Saell
O. Allen	Corser	Hewit	Noble	Southwick
Anthou	Dennison	Higby	Norton	Stevens
Arwood	Dewey	Hinds	Pardee	Stewart
R. Babcock	Doyle	Horton	E. Perry	Stilwell
J. W. Babcock	Elderkin	Hoppin	J. L. Perry	Stratton
Barnes	Ely	Humphrey	Pool	Swords
Belknap	Farr	Ingersoll	Rider	Speaker
J. Benedict	Ferris	Kellogg	Rockwell	A. A. Thompson
Bird	Feller	Lake	Rouse	Tuthill
Bowne	Fisk	Lawyer	Rowe	Underwood
Bradley	Fordyce	Leggett	Rumsey	Varnum
Briggs	French	Le Roy	W. Russel	Wakeman
Barronghs	Gleason	Lesley	Ryan	Ward
Bushnell	Graham	McLouth	Shall	Welden
Cady	A. A. Gregory	Macomber	Sherman	Wheeler
Carrington	W. S. Gregory	Maurice	Shultes	Whiteside
Chamberlin	Greene	Miles	Sickles	Wooster
J. F. Clark	H. Harris	Minier	A. Smith	Wright
Colvin	Hatch	Moss	E. T. Smith	Yeomans

100

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act in relation to the auditing of town and county charges," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 81 }
{ NOES 05 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	Graham	Miles	A. Smith
O. Allen	J. F. Clark	A. A. Gregory	Minier	E. T. Smith
Anthon	Colvin	Greene	Moss	Southwick
Atwood	Congdon	H. Harris	Nelson	Stevens
R. Babcock	Dennison	Horton	Norton	Stewart
Backhouse	Dewey	Hoppin	Pardee	Stilwell
Belknap	Elderkin	Humphrey	J. L. Perry	Stratton
J. Benedict	Farr	Kellogg	Pool	Speaker
T. H. Benedict	Ferris	Lake	Rider	O. C. Thompson
Bird	Feller	Lawyer	Rockwell	Townsend
Bishop	Fisk	Leggett	Rouse	Tuthill
Bradley	Fitzhugh	Le Roy	Rowe	Wakeman
Briggs	Fordyce	Lesley	Rumsey	Welden
Burroughs	French	McLouth	W. Russel	Whiteside
Cady	Gilbert	Macomber	Ryan	Wooster
Carrington	Gleason	Maurice	Shultes	Wright

81

Those who voted in the negative are,

Bowne	Higby	Ingersoll	Shall	Sickles	5
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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to provide for the organization and government of the police of the city of Albany," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows.

{ AYES 67 }
{ NOES 40 }

Those who voted in the affirmative are,

O. Allen	Chamberlin	Greene	Miles	Southwick
Anthon	Corser	H. Harris	Moss	Stevens
Atwood	Dewey	Heath	Nelson	Swords
J. W. Babcock	Douglass	Hinds	Norton	Speaker
Backhouse	Ely	Hoppin	Pardee	Townsend
Baker	Farr	Humphrey	J. L. Perry	Tuthill
Belknap	Ferris	Ingersoll	Rouse	Underwood
J. Benedict	Feller	Kellogg	Rowe	Varnum
T. H. Benedict	Fisk	Lake	Rumsey	Wakeman
Bird	Fitzhugh	Lesley	Ryan	Welden
Bishop	Fordyce	Lyon	Sherman	Wheeler
Briggs	Gilbert	McLouth	Shultes	Whiteside
Cady	Gleason	Macomber	A. Smith	Yeomans
Carrington	Graham			

67

Those who voted in the negative are,

H. J. Allen	Congdon	Higby	E. Perry	Snell
R. Babcock	Denison	Horton	Pool	Stewart
Barnes	Doyle	Jayne	Rider	Stilwell
Bowne	Elderkin	Lawyer	Rockwell	Stratton

Bradley	French	Le Roy	W. Russel	A. A. Thompson	
Burroughs	A. A. Gregory	Maurice	Shall	O. C. Thompson	
J. F. Clark	Hatch	Minier	Sickles	Wooster	
Colvin	Hewitt	Noble	E. T. Smith	Wright	40

Ordered, That the Clerk return the said bill to the Senate, and request their concurrence in the same.

Mr. Higby gave notice of his intention to introduce a bill in relation to the expenses of highway commissioners, and road juries throughout the State.

On motion of Mr. A. A. Thompson.

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That it is due to the people of this State, that this House do express its sentiments and opinions upon the resolutions of Mr. Underwood, now upon the table of this House, before the day appointed for the election of the United States Senator.

Mr. J. Benedict moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. J. Benedict, and it was determined in the affirmative.

A message was received from the Senate, announcing that that body insisted on its amendments to the proposed joint rules of the Senate and Assembly, and requesting the appointment of a committee of conference on the part of the Assembly, to meet a similar committee already appointed by the Senate.

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the negative.

On motion of Mr. Underwood, and by unanimous consent,

Ordered, That the bill entitled, "An act to detach the Bank Department from the office of the Comptroller, and to erect said department into a distinct office, to be placed under the charge of an Auditor," be taken from the committee of the whole, and recommitted to the committee on banks and insurance companies.

On motion of Mr. Varnum,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the judiciary committee has shewn a highly culpable degree of negligence, in failing to consider and report the various resolutions on the subject of the compromise, and that the said committee be, and hereby is discharged from the further consideration of said resolutions.

Mr. Varnum moved to amend, by striking out all after the word "Resolved," and insert the following words:

"That the committee on the judiciary be requested to report suitable resolutions, expressive of the sentiments of this Legislature, in favor of acquiescence in the views taken by the President of the United States, in his late annual message, in relation to the legislation of the last Congress, commonly known as the compromise measures.

Mr. Tuthill moved to lay said resolution and amendment on the table.

{ AYES 54 }
{ NOES 47 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

J. W. Babcock	Corser	Heath	Macomber	Southwick
Baker	Douglass	Hewit	Miles	Stevens
Belknap	Ely	Hinds	Moss	Speaker
J. Benedict	Farr	Hoppin	Nelson	Tuthill
T. H. Benedict	Feller	Humphrey	Norton	Underwood
Bottum	Fisk	Ingersoll	Pardee	Wakeman
Bradley	Fordyce	Kellogg	J. L. Perry	Welden
Briggs	Gleason	Lake	Rouse	Wheeler
Burroughs	Graham	Leggett	Rowe	Whiteside
Chamberlin	A. A. Gregory	Lesley	Rumsey	Yeomans
Colvin	H. Harris	McLouth	Sherman	

54

Those who voted in the negative are,

H. J. Allen	Denison	Hatch	E. Perry	Stewart
O. Allen	Bewey	Higby	Pool	Stilwell
Anthon	Doyle	Horton	Rider	Swords
R. Babcock	Elderkin	Jayne	Rockwell	A. A. Thompson
Backhouse	Ferris	Le Roy	W. Russell	O. C. Thompson
Barnes	Fitzhugh	Lyon	Shall	Townsend
Bird	French	Maurice	Sickles	Varnum
Bowne	Gilbert	Minier	E. T. Smith	Wooster
J. F. Clark	W. S. Gregory	Noble	Saell	Wright
Davis	Greene			

47

On motion of J. Benedict,
The House, at two o'clock, adjourned.

FRIDAY, JANUARY 31, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Conroy.

The minutes of yesterday were read and approved.

Mr. A. A. Gregory presented a petition from 80 inhabitants of Benton, Cattaraugus co., for a change of the name of said town, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Minier presented the petition of John L. Sexton, of Big Flats, Chemung co., for damages caused by the overflowing of the Chemung canal feeder, which was read and referred to the committee on canals.

Mr. Corser presented the petition of citizens of Monroe co., for repeal of the free school law, abolition of the Normal School and State Journal, and the office of State and town superintendents, which was read and referred to the committee on colleges, academies and common schools.

Mr. Hatch presented ten remonstrances of citizens of Oswego co.,

against a diversion of the waters of the Oswego river to the Sodus canal, which were read and referred to the committee on canals.

Mr. Rockwell presented three remonstrances of 70 inhabitants of Schoharie, against a division of said co., which were read and referred to the committee on the erection and division of towns and counties.

Mr. Ferris presented the petition of sundry inhabitants of Ulysses, Tompkins co., for an act to prohibit the sale of intoxicating liquors as a beverage, which was read and referred to the select committee on that subject.

Mr. Farr presented the petition of Richard Empey, of Kingsbury, Wash. co., for damages sustained by the overflowing of the water at the waste weir called the Holmes' waste weir on the summit level of the Northern canal, which was read and referred to the committee on claims.

Mr. Yeomans presented two petitions of Wayne co., for a division of said county, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Heath presented the petition of Wm. H. Howe, for relief, which was read and referred to the committee on grievances.

Mr. Bottum presented two remonstrances of 274 citizens of Wayne co., against a division thereof, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Yeomans presented the petition of J. W. Briggs and others, of Macedon, Wayne co., for relief from damages caused by waters from the Erie canal, which was read and referred to the committee on canals.

Mr. Bottum presented the petition of citizens of Wayne co., asking for a charter of the Watson agricultural institution, which was read and referred to the committee on agriculture.

Mr. Bottum presented two remonstrances of citizens of Wayne co., against a division thereof, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Bottum presented six petitions of citizens of Wayne co., for a division thereof, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Le Roy presented three remonstrances of 500 citizens of Onondaga co., against a diversion of the Seneca and Oswego rivers to the Sodus canal, which were read and referred to the committee on canals.

Mr. Bottum presented the petition of inhabitants of Lyons, for the passage of the act in relation to rebuilding the bridge over Clyde river in said town, which was read and referred to the committee on roads and bridges.

Mr. Lyon presented the petition of Cyrus Taylor and 200 citizens of Jefferson co., for equalization of taxation throughout the State, which was read and referred to the select committee on that subject.

Mr. A. Smith presented the petition of 14 inhabitants of Carroll, Chautauque co., for the repeal of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Pardee presented the petition of Volney Hughes and Wesley Woolston, for damages arising from a breach in the Erie canal, which was read and referred to the committee on claims.

Mr. E. T. Smith presented the petition of inhabitants of Suffolk co., for the repeal of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Higby presented the petition of 132 citizens of the State of New-York, for a law prohibiting the sale of intoxicating liquors as a beverage, which was read and referred to the select committee on that subject.

Mr. Yeomans presented the petition of 190 citizens of Macedon, Wayne co., for an appropriation to erect a new edifice for the use of the Macedon academy, which was read and referred to the committee on colleges, academies and common schools.

Mr. Stevens presented the remonstrance of 228 citizens of Onondaga co., against the recharter of the Sodus bay canal company, which was read and referred to the committee on canals.

Mr. J. Benedict presented a petition for a road in Whitestown, which was read and referred to the committee on canals.

Mr. O. C. Thompson presented two petitions of inhabitants of Rensselaer co., to stay collection of rents in certain cases, which were read and referred to the select committee on that subject.

Mr. Noble presented the petition of citizens of Warren co., for a law to be submitted to the people for prohibiting the sale of intoxicating liquors as a beverage, which was read and referred to the select committee on that subject.

Mr. Brayton presented the petition of sundry inhabitants of Western, Oneida co., for a law to prohibit the sale of intoxicating drinks, which was read and referred to the select committee on that subject.

Mr. Corser presented the petition of the supervisors of Monroe co., for an act requiring the Tonawanda railroad company, to construct and keep in repair a good and substantial fence along the line of their road, which was read and referred to the committee on railroads.

Mr. J. Benedict presented the petition of S. W. Dexter, and others, for a law authorising district libraries to purchase Webster's unabridged dictionary, was read and referred to the committee on colleges, academies and common schools.

Mr. Burroughs presented the petition of the directors of Medina and Alabama plank road company, for an act to authorise them to borrow money, which was read and referred to the committee on roads and bridges.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled, as follows, to wit:

"An act to provide for the organization and government of the police of the city of Albany."

Mr. Lesley, from the committee on roads and bridges, to which were referred the several petitions asking for amendment to the plank road law, reported, and asked and obtained leave to bring in a bill entitled, "An act in relation to plank roads, and turnpike roads," which was read the first time, and by unanimous consent was also

read the second time, and committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which were referred the petitions of inhabitants of the towns of Tompkins, and Hancock, Delaware county, for amendments to a certain act in relation to the commissioners of a certain road, reported, and asked and obtained leave to bring in a bill entitled, "An act to revise and amend an act to appoint commissioners to lay out and construct a road from Cannonsville, in the town of Tompkins, in the county of Delaware, to Shehocking, in the town of Hancock, in said county, passed April 19, 1828," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Backhouse, from the committee on grievances, to which was referred the petition of Elihu C. Wright, for relief, reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of Elihu C. Wright," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Backhouse, from the committee on grievances, to which was referred the bill entitled, "An act for the relief of John J. Schuyler, Marcus Mallory, and James H. Schuyler," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Backhouse, from the committee on grievances, to which was referred the petition of school district No 6, in Elmira, Chemung co, reported for the consideration of the House, a resolution, in the words following, to wit:

Resolved, That the committee on grievances be discharged from the further consideration of the petition of the trustees of district No 6, in Elmira, Chemung county, and that the same be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Townsend, from the select committee consisting of the New-York delegation, to which was referred the bill entitled, "An act to repeal an act entitled, 'An act to amend an act for the more effectual prevention of fires, in the city of New-York,'" reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the select committee consisting of the New-York delegation, to which was referred the bill entitled, "An act to amend an act entitled, 'An act to extend the charter of the firemen of the city of New-York,'" reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Fordyce, from the select committee consisting of the Monroe county delegation, to which was referred the bill entitled, "An act authorising the town of Pittsford, in the county of Monroe, to raise money by tax, to defray the expense of laying out and opening a highway, in the town of Perrinton, from the Canandaigua road, near Bushnell's Basin, to the Palmyra road, near Read's saw-mill," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Fitzhugh, from the select committee, to which was referred so much of the Governor's message, as relates to the world's fair, reported, and asked and obtained leave to bring in a bill entitled, "An act to secure this State an agent at the world's fair," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lesley, from the select committee to which was referred the Senate bill entitled, "An act in relation to railroad corporations," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Elderkin moved to take from the table, the resolution heretofore offered by him, in the words following, to wit:

Resolved, That the paper purporting to be a report of the Commissioners of the Canal Fund, be referred to a select committee.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the negative.

{ AYES 39 }
{ NOES 52 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

M. J. Allen	Congdon	Higby	E. Perry	Stewart
Backhouse	Davis	Jayne	Pool	Stilwell
Barnes	Elderkin	Kellogg	Rockwell	Stratton
Bowne	French	Lawyer	W. Russel	A. A. Thompson
Bradley	Gleason	Le Roy	Shall	O. C. Thompson
Bushnell	A. A. Gregory	Lyon	Sickles	Wheeler
J. F. Clark	W. S. Gregory	Maurice	E. T. Smith	Wooster
Colvin	Hatch	Minier	Snell	

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Those who voted in the negative are,

Atwood	Ellwood	Hewit	Miles	Stevens
Baker	Ely	Hinds	Moss	Swords
Belknap	Farr	Hoppin	Nelson	Speaker
J. Benedict	Farris	Humphrey	Pardee	Townsend
T. H. Benedict	Feller	Ingersoll	Rouse	Tatill

Bishop	Fiak	Lake	Rowe	Underwood
Bottum	Fitzhugh	Langdon	Rumsey	Wakeman
Chamberlin	Fordyce	Lesley	Sherman	Ward
G. Clark	Gilbert	McLouth	A. Smith	Whiteside
Dewey	Graham	Macomber	Southwick	Yeomans
Douglass	Greene			

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Mr. Elderkin gave notice that he would, at an early day, ask leave to introduce a bill concerning the rank of officers of engineers in the militia of the State of New-York.

Mr. Dewey gave notice that he would, at an early day, ask leave to introduce a bill to prohibit the sale of firewood in the city of New-York by unlicensed persons.

In pursuance of previous notice, Mr. J. Benedict asked for and obtained leave to introduce a bill entitled, "An act to incorporate the Erie county savings institution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

On motion of Mr. J. Benedict,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the communication made to this House by the Attorney General and Lieut. Governor, be taken from the table and referred to a select committee of three to report thereon with all convenient speed.

Mr. Burroughs moved the following amendment, which was accepted by Mr. J. Benedict, to wit :

"And that the said committee have power to send for persons and papers, in order to ascertain the facts set forth in said communication signed by the Attorney General and Lieutenant Governor."

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Backhouse gave notice that he would, on a future day, ask leave to introduce a bill for the preservation of game in the counties of Suffolk, Queens and Kings.

Mr. Jayne gave notice that he would, at some future time, bring in a bill to extend the time for the collection of taxes in the town of Italy, Yates co., till the first of April next.

Mr. Hatch gave notice that he would, at an early day, ask leave to introduce a bill to authorise the common council of the city of Oswego to levy a tax for building a county clerk's office in said city.

Mr. Hatch gave notice that he would, at an early day, ask leave to introduce a bill to amend the charter of the city of Oswego.

Mr. Fitzhugh gave notice that he would, at an early day, ask leave to introduce a bill to amend the Revised Statutes in relation to larceny.

Mr. Hewit offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the Inspectors of State Prisons be requested, as soon as practicable, to inform this House whether any timber has been sold during the past year on any lands belonging to the State within 20 miles of the Clinton prison, and if so, what quantity, to whom, for what prices, under what right, and for what purpose.

Debate was had thereon,

Ordered, That the said resolution be laid upon the table.

Mr. Bird gave notice that he would, at some future time, ask leave to introduce a bill to incorporate the Western savings bank at Buffalo.

Mr. Bird gave notice that he would at an early day ask leave to introduce a bill to amend an act entitled, "An act concerning passengers arriving at the ports of entry and landings in this State, passed Dec. 10, 1847, and the act amendatory thereof, passed April 11, 1849."

Mr Townsend gave notice that he would at an early day, ask leave to introduce a bill to provide for the publication of the reports of the supreme court. Also, a bill to effectuate certain conveyances.

In pursuance of previous notice, Mr. Sherman asked for and obtained leave to bring in a bill entitled, "An act to enable the supervisors of the towns of Poughkeepsie, and Fishkill, to borrow money to build a bridge over Wappingers-creek, at Wappingers Falls," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Underwood asked for and obtained leave to bring in a bill entitled, "An act to compel the Syracuse and Rochester railroad company, to construct a double track to their line of railroad, passing through Auburn, Seneca Falls, Waterloo, Geneva, and Canandaigua," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. E. Perry asked for and obtained leave to bring in a bill entitled, "An act to amend the charter of the Albany Cemetery Association," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the Albany county delegation.

Mr. Le Roy gave notice that he would at an early day ask leave to bring in a bill to provide for the organization of a Board of State assessors, and defining their powers and duties.

Mr. H. Harris gave notice that he would, at an early day, ask leave to introduce a bill to amend the act to combine into one act the several acts relating to the city of Albany, passed April 12, 1842, and the several acts amendatory thereof.

Mr. A. A. Thompson offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, (If the Senate concur,) That this Legislature will not elect any person as United States Senator, to represent this State in Congress, who is not positively known to be an unqualified and unflinching advocate of the national compromise measure, including the fugitive slave bill, who does not consider such measures a final adjustment of the dangerous questions embraced therein, and who will not sustain the President of the United States in his determination to enforce the same.

Ordered, That said resolution be laid upon the table.

Mr. A. A. Thompson offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That this House does not require the investigations of the judiciary committee to enable it to vote understandingly upon the recent compromise measures of Congress, including the fugitive slave act ; nor the result of their deliberations to ascertain whether the House should, or should not, sustain the President of the Union in his determination to faithfully and promptly execute the laws of Congress ; and that, therefore, such committee be, and they hereby are, instructed to report to this House forthwith all the resolutions now in their keeping relating to such measures, unaccompanied by any reasons, conclusions or speculations of their own in relation thereto, and that this House will, thereupon, vote directly upon such resolutions without further delay.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. H. J. Allen gave notice that he would, at an early day, ask leave to introduce a bill to regulate the rates of wharfage on lighters in the cities of New-York and Brooklyn.

Mr. Ferris offered for the consideration of the House, a resolution in the words following, to wit:

WHEREAS, His Excellency the Governor of this State, in his annual message, has brought before this House the subject of our relations to the federal government in reference to the recent action of Congress known as the compromise measures, and more especially the act in relation to fugitive slaves ; and whereas, sundry resolutions, together with a bill relating to the same subject, have been introduced, involving principles of great importance in our relations with the national government, and it is desirable that a speedy expression should be obtained, as well from the importance of these principles at this particular time, as in reference to saving the time of the House from being consumed in exciting debates, when the more important subjects of State legislation will demand its attention ; therefore,

Resolved, That the judiciary committee, to whom the matters above stated have been referred, are hereby required to report thereon to the House, on or before Monday next, the 3d day of February.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

In pursuance of previous notice, Mr. Burroughs asked for and obtained leave to introduce a bill entitled, "An act to authorise the Medina and Alabama road company to borrow money, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Bottum asked for and obtained leave to bring in a bill entitled, "An act to incorporate the Watson agricultural institute," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

On motion of Mr. Burroughs,

The House proceeded to the consideration of the resolution offered by him yesterday, relative to the printing of the report of the New-York State Ag. Society.

Mr. Wheeler moved to amend the resolution of Mr. Burroughs, by adding after the word "counties," the following :

"Provided, that in counties having no agricultural society, the said 40 copies shall be delivered to each member or members collectively representing such counties."

Mr. Hatch moved to amend Mr. Wheeler's amendment, by inserting after the words "agricultural society," the following : "and in the county of Oswego ;" which amendment was accepted by Mr. Wheeler.

The amendment, as amended, was then accepted by Mr. Burroughs.

Mr. Wakeman then moved to amend by striking out "500," and inserting "1000" copies for the use of the American Institute.

Mr. Speaker put the question whether the House would agree to the said amendment, and it was determined in the affirmative.

Mr. Pardee moved to amend the resolution by striking out the words "twice the number," and inserting "sixty times the usual number."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Pardee, and it was determined in the negative.

Mr. Speaker then stated the question to be on agreeing to the resolution as amended, which was in the words following :

Resolved, That twice the number of copies of the report of the New-York State agricultural society, printed at the last session of the Legislature, be printed for the use of the Legislature; one thousand copies for the use of the American Institute; and forty copies for each county in the State, for the use of the agricultural societies in said counties, provided that in counties having no agricultural society, and in the county of Oswego, the said forty copies shall be delivered to each member or members collectively representing such society, and that the same be printed and bound under the direction of the Executive committee of the New-York State agricultural society, in a manner similar to the reports of previous years.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. J. L. Perry gave notice that he would, at an early day, ask leave to introduce a bill to authorise assessors to examine persons on oath in relation to their personal property.

Mr. Speaker announced the following select committee on the communication from the Lieut. Gov. and Attorney General : Messrs. J. Benedict, Elderkin, Wheeler, Feller, and Hatch.

In pursuance of previous notice, Mr. Bird asked for and obtained leave to bring in a bill entitled, "An act to incorporate the Western savings bank at Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

On motion of Mr. A. A. Gregory,

Resolved, That the committee on the incorporation of cities and villages, to which a petition from the inhabitants of the town of Burton, in Cattaraugus co., was referred, be discharged from the further consideration of the same, and said petition be referred to the committee on the internal affairs of towns and counties.

Mr. Wooster gave notice that he would, at an early day, ask leave to introduce a bill to amend section 34 of the act entitled, "An act to amend the act entitled, 'An act in relation to the judiciary,' passed May 12, 1847."

In pursuance of previous notice, Mr. Wooster asked for and obtained leave to bring in a bill entitled, "An act to amend section 297 of the code of procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Ely gave notice that he would, at some future day, ask leave to introduce a bill entitled, "An act requiring compensation for personal injury by wrongful act, neglect, or default."

On motion of Mr. E. Perry,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That from and after the 1st of February this House will meet at 10 o'clock, A. M.

Mr. Burroughs moved that said resolution be laid upon the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole, on the bill entitled, as follows, to wit:

"An act for the relief of Thomas Wheeler, administrator of John Jacob Mang, deceased."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Macomber, from said committee, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act to incorporate the Monticello academy."

And after some time spent thereon, Mr. Speaker resumed the chair and Mr. Wakeman, from said committee, reported, that they had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

The House then resolved itself into a committee of the whole on the bill entitled, as follows, to wit:

"An act relative to the penitentiary of Onondaga county."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Underwood, from said committee, reported that the commit-

tee had gone through said bill, and agreed to the same with amendments.

Mr. Le Roy moved to amend the bill as reported by the committee of the whole, by restoring the words "one-half of," in sec. third.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Le Roy, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the report of the said committee, and it was determined in the affirmative.

Ordered, That the said bill be engrossed for a third reading.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act declaring Moose river together with the north and south branches thereof, in the State of New-York, a public highway, and regulating the passage of logs and timber down the same."

"An act to amend an act entitled, 'An act to incorporate the Mutual life insurance company of New-York,' passed April 12, 1842."

"An act authorising certain records of the county of Erie to be transcribed and deposited in the clerk's office of the county of Niagara."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Feller, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

Mr. Feller, from said committee, reported progress on said last mentioned bills, and asked and obtained leave to sit again.

On motion of Mr. Wheeler,

The House, at two o'clock, adjourned.

SATURDAY, FEBRUARY 1, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Davenport.

The minutes of yesterday were read and approved.

Mr. Shultes presented the petition of C. H. Chittenden and 159 citizens of Albany co., for an act authorising a stay of the collection of rents on manorial lands in certain cases, which was read and referred to the select committee on that subject.

Mr. Feller presented the memorial and petition of inhabitants of Dutchess co., for redemption of bank notes at par in the city of New-York, which was read and referred to the committee on banks and insurance companies.

Mr. Wheeler presented the remonstrance of inhabitants of Franklin co., against the repeal of the present militia system and for certain

amendments thereto, which was read and referred to the committee on militia and public defence.

Mr. Southwick presented a memorial from the Congregational friends society of Seneca co., to provide for the fugitive slave those rights of trial by jury that are so graciously enjoyed by all other citizens, as the Legislatures of some other States have done, which was read and referred to the committee on the judiciary.

Mr. Campbell presented the memorial of Chas. Ehle, for compensation on account of damages caused by the enlargement of the Erie canal, which was read and referred to the committee on grievances.

Mr. J. Benedict presented the petition of sundry inhabitants of Madison co., to repeal section ten of the act to improve the quality of salt, which was read and referred to the committee on the manufacture of salt.

Mr. Southwick presented a memorial from the Congregational friends of Seneca co., for the repeal of the law for capital punishment, and substitute such laws only as tend to remove the cause rather than punish the effect, which was read and referred to the select committee on that subject.

Mr. E. Perry presented the petition of the justices of the court of sessions of Albany co., for an increase of compensation, which was read and referred to the committee on the judiciary.

Mr. O. Allen presented three several petitions of sundry persons in Western, N. Y., for an amendment to the Attica and Hornellsville railroad co. charter, which were read and referred to the committee on railroads.

Mr. O. C. Thompson presented the petition of inhabitants of Rensselaer co., to stay the collection of rents in certain cases, which was read and referred to the select committee on that subject.

Mr. O. C. Thompson presented a petition for the improvement of highways in the town of Greenbush, which was read and referred to the committee on roads and bridges.

Mr. Southwick presented a memorial to the Legislature from the Congregational friends of Seneca co., for an act requiring the venders of alcohol to answer for all damages that may arise in consequence of such sale, in lieu of the now existing law which imposes it on innocent citizens, which was read and referred to the select committee on that subject.

Mr. Hoppin presented a petition for the relief of John Merrell, which was read and referred to the committee on public lands.

Mr. J. W. Babcock presented the petition of 32 citizens of school district No. 7, in the town of Hartland, Niagara co., for the repeal of the free school law so far as the several districts are concerned, which was read and referred to the committee on colleges, academies and common schools.

Mr. Burroughs presented the petition of 400 inhabitants of Yates, Orleans co., for a law abolishing the sale of intoxicating drinks as a beverage, which was read and referred to the select committee on that subject.

Mr. Brayton presented the petition of sundry inhabitants of West-

ern, Oneida co.; for Webster's Dictionary for common schools, which was read and referred to the committee on colleges, academies and common schools.

Mr. Hoppin presented the petition of Mitchell Atwood, for relief, which was read and referred to the committee on grievances.

Mr. Stewart presented the petition of L. I. Smith and seventy others, merchants and mechanics of the town of Johnstown, for a law to compel all corporations, joint stock associations or individual bankers, issuing bank notes or any kind of paper credit to circulate as money, to redeem such issues in the city of New-York at par, which was read and referred to the committee on banks and insurance companies.

Mr. Wheeler presented the memorial of Eleazer Williams, a member of the St. Regis tribe of Indians, for relief, which was read and referred to the committee on Indian affairs.

Mr. O. Allen presented the petition of Jonas Ingraham, for an act authorising the Canal Board to rehear his claim on contract on section No. 3 Erie canal enlargement, in the city of Buffalo, and also for materials and fixtures on said job taken by the State and not paid for, which was read and referred to the committee on claims.

Mr. Feller presented the petition of Milton Ham and others, for the incorporation of a savings bank at Washington Hollow, which was read and referred to the committee on banks and insurance companies.

Mr. Langdon presented the petition of citizens of Columbia co., for an act to stay the collection of rents on manorial lands while the titles thereto are being tested by the Attorney General on behalf of the State, which was read and referred to the select committee on that subject.

Mr. Minier presented the petition of Joseph Lowe and others, of Big Flats, Chemung co., for a bridge across the Chemung canal feeder, which was read and referred to the committee on canals.

Mr. Ward presented the petition of the managers of the New-York Institution for the Blind, which was read and referred to the committee on charitable and religious societies, and ordered printed.

Mr. Ward presented the petition of inhabitants of Genesee Falls, Wyoming co., praying for the passage of a law prohibiting the sale of intoxicating liquors as a beverage, which was read and referred to the select committee on that subject.

Mr. Yeomans presented the petition of citizens of Wayne co., for a division of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Ely presented the petition of sundry inhabitants of Tioga co., for the renewal of the charter of the Sedus bay canal company, which was read and referred to the committee on canals.

Mr. Rumsey presented the remonstrance of inhabitants of Phillips-town, Putnam co., against the renewal of a ferry charter to John Garrison, which was read and referred to the committee on commerce and navigation.

Mr. J. Benedict presented the resolutions of the common council

of the city of Utica, in the nature of a petition, to provide for the election of two additional supervisors in said city, which was read and referred to the committee on the incorporation of cities and villages.

Mr. J. Benedict presented the preamble and resolutions of the common council of the city of Utica, in the nature of a remonstrance, against the repeal of the recorder's court in said city, which was read and referred to committee of the whole: when on the bill upon that subject.

Mr. E. T. Smith presented the petition of inhabitants of Suffolk co., for the repeal of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Rookwell presented the remonstrance of inhabitants of the county of Schoharie, against a division of said co., which was read and referred to the committee on the erection and division of towns and counties.

Mr. Bowne presented two petitions of John Garrison and 203 others, for the extension of a ferry charter across the Hudson river, in the town of Phillipstown, county of Putnam, which were read and referred to the committee on commerce and navigation.

Mr. Hatch presented the remonstrance of citizens of the town of Mexico, Oswego county, against the diversion of waters of the Oswego river to the Sodus canal, which was read and referred to the committee on canals.

Mr. Speaker announced the following select committee on the code: Messrs Cady, E. T. Smith, J. Benedict, Stewart, and Townsend.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to incorporate the Rome water works company."

"An act to incorporate the Monticello academy."

"An act for the relief of Thomas Wheeler, administrator of John Jacob Mang, deceased."

"An act in relation to the penitentiary of Onondaga county."

"An act declaring Moose river, with the west and south branches thereof, a public highway."

Ordered, That said bills be read the third time.

Mr. Bishop, from the committee on privileges and elections, to which was referred the petition of the supervisors of Monroe co., for an amendment to the election law, reported, and offered the following resolution, to wit:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Bishop, from the committee on privileges and elections; to which was referred the petition of John Underwood, for a seat in this House in the place of Samuel Jayne, jr, presented a report, upon which Mr. J. Benedict offered the following resolution, to wit:

Resolved, That the chairman of the committee on privileges and elections, together with Mr. Maurice, one of the associate members

of said committee, be authorised to repair to Yates county for the purpose of taking further testimony in the case of John Underwood, who is contesting a seat in this House, and that he be authorised to employ a clerk and such other persons as may be necessary to procure said testimony.

Mr. Maurice offered the following amendment, which was accepted by Mr. J. Benedict, to wit :

Resolved, That the committee on privileges and elections be instructed to report, in writing, the facts in relation to the claim on the part of John Underwood to the seat in this House now held by Mr. Jayne.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred the petition of the Chautauque county mutual insurance company, reported, and asked and obtained leave to bring in a bill entitled, "An act to extend the charter of the Chautauque county mutual insurance company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill from the Senate entitled, "An act to authorise a release of the amount due upon a decree against Henry Talmadge," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill from the Senate entitled, "An act to incorporate the New-York State and national law school," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Ward, from the committee on charitable and religious societies, to which was referred the bill entitled, "An act to enable religious societies to provide for their common expenses," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Ward, from the committee on charitable and religious societies, to which was referred the petition of the board of supervisors of the county of Niagara, for an amendment of the law relating to the State Lunatic Asylum, reported, and asked and obtained leave to bring in a bill entitled, "An act to amend the act entitled, 'An act to organize the State Lunatic Asylum, and more effectually to provide for the care, maintenance and recovery of the insane,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred so much of the Governor's message, as relates to banks and insurance companies, reported, and asked and obtained leave to bring in a bill entitled, "An act to amend the act to provide for the incorporation of insurance companies, passed April 10, 1849," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Swords presented the annual report of the trustees of the Astor library.

Mr. Swords moved that the usual number, and 500 for the use of the library, be printed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Swords, and it was determined in the affirmative.

A message from the Senate was received and read, informing that they had passed, without amendment, the bill entitled as follows :

"An act to confirm the election or designation of Horatio Randall and Warren D. Cain, as justices of the sessions, in and for the county of Herkimer."

Ordered, That the Clerk deliver said bill to the Governor.

The following concurrent resolution was received from the Senate, to wit :

Resolved, (If the Assembly concur,) That in the opinion of the Legislature of this State, Congress ought to provide by law, under such regulations and restrictions as it shall deem just and liberal, for the conveyance of the public domain of the Union, in limited quantities, to persons who will become and continue for a limited term of years, actual occupants and cultivators thereof.

Resolved, (If the Assembly concur,) That the Governor be requested to transmit to each of our Senators and Representatives in Congress, a copy of the above resolution.

Ordered, That the said resolutions be laid upon the table.

The bill entitled, "An act to incorporate the Rome water works company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 76 }
{ NOES 03 }

Those who voted in the affirmative are,

O. Allen	Elderkin	Horton	Nelson	A. Smith
Atwood	Ellwood	Hoppin	Noble	Southwick
J. W. Babcock	Ely	Humphrey	Pardee	Stevens
Baker	Ferris	Ingersoll	E. Perry	Stewart
Belknap	Feller	Jayne	J. L. Perry	Stratton
J. Benedict	Gilbert	Kellogg	Pool	Swords
Bradley	Gleason	Lake	Rider	Speaker
Brayton	Graham	Lawyer	Rouse	A. A. Thompson

Bushnell	A. A. Gregory	Leggett	Rowe	O. C. Thompson
G. Clark	Greene	Lesley	Rumsey	Tuthill
J. F. Clark	H. Harris	Lewis	W. Russell	Underwood
Colvin	L. Harris	McLouth	Ryan	Ward
Congdon	Hatch	Miles	Shall	Welden
Dennison	Higby	Minier	Shultes	Whiteside
Dewey	Hinds	Moss	Siekles	Yeomans
Douglass				

76

Those who voted in the negative are,

R. Babcock Le Roy Maurice

3

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act for the relief of Thomas Wheeler, administrator of John Jacob Mang, deceased," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Dennison	Humphrey	Nelson	Southwick
Atwood	Dewey	Ingersoll	Noble	Stevens
R. Babcock	Elderkin	Jayne	Pardee	Stewart
J. W. Babcock	Ellwood	Kellogg	E. Perry	Stratton
Baker	Ferris	Lake	Pool	Swords
Balknap	Feller	Langdon	Rockwell	Speaker
J. Benedict	Fisk	Lawyer	Rouse	A. A. Thompson
Bird	Fitzhugh	Leggett	Rowe	Townsend
Bowne	Gilbert	Le Roy	W. Russell	Tuthill
Bradley	Graham	Lesley	Ryan	Underwood
Brayton	A. A. Gregory	Lewis	Shall	Wakeman
Briggs	L. Harris	Lyon	Shultes	Ward
Bushnell	Hatch	McLouth	Siekles	Welden
G. Clark	Higby	Maurice	A. Smith	Wheeler
J. F. Clark	Hinds	Miles	E. T. Smith	Whiteside
Colvin	Horton	Minier	Snell	Yeomans
Congdon	Hoppin	Moss		

83

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to incorporate the Monticello academy," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows.

{ AYES 71 }
{ NOES 01 }

Those who voted in the affirmative are,

O. Allen	Douglass	Hatch	Miles	Southwick
Atwood	Doyle	Higby	Moss	Stevens

R. Babcock	Elderkin	Hinds	Nelson	Stewart
J. W. Babcock	Ely	Horton	Noble	Stratton
Baker	Ferris	Hoppin	Pardee	Swords
Belknap	Feller	Humphrey	E. Perry	Speaker
J. Benedict	Fisk	Ingersoll	Rouse	Tuthill
Brayton	Fitzhugh	Kellogg	Rowe	Underwood
Briggs	Gilbert	Lake	Rumsey	Wakeman
Bushnell	Graham	Langdon	Ryan	Welden
G. Clark	A. A. Gregory	Lawyer	Shultes	Wheeler
Congdon	Greene	Leggett	A. Smith	Whiteside
Corser	H. Harris	McLouth	E. T. Smith	Wooster
Dennison	L. Harris	Macomber	Snell	Yeomans
Dewey				

71

For the negative,

Le Roy

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act relative to the penitentiary of Onondaga co.," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 83 }
{ NOES 02 }

Those who voted in the affirmative are,

O. Allen	Dennison	Shultes	Miles	E. T. Smith
Atwood	Dewey	Hatch	Minier	Snell
R. Babcock	Douglass	Higby	Moss	Southwick
Belknap	Doyle	Hinds	Nelson	Stevens
J. Benedict	Elderkin	Horton	Pardee	Stratton
Bowne	Ellwood	Hoppin	E. Perry	Swords
Bradley	Ely	Humphrey	J. L. Perry	Speaker
Brayton	Ferris	Ingersoll	Rockwell	Tuthill
Briggs	Feller	Kellogg	Rouse	Underwood
Bushnell	Fisk	Lake	Rowe	Wakeman
Campbell	Fitzhugh	Langdon	Rumsey	Ward
Carrington	Gilbert	Lawyer	W. Russel	Welden
G. Clark	Gleason	Leggett	Ryan	Wheeler
J. F. Clark	Graham	Lyon	Shall	Whiteside
Congdon	A. A. Gregory	McLouth	Sherman	Wooster
Corser	W. S. Gregory	Macomber	A. Smith	Yeomans
Davis	L. Harris	Maurice		

83

Those who voted in the negative are,

Barronhs

Le Roy

2

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act declaring Moose river, together with the north and south branches thereof, a public highway," was read a third time.

Mr. Speaker put the question whether the House would agree to

the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 91 }
 { NOES 00 }

Those who voted in the affirmative are,

O. Allen	Corser	H. Harris	Maurice	A. Smith
Atwood	Davis	L. Harris	Miles	E. T. Smith
R. Babcock	Dennison	Hatch	Minier	Snell
J. W. Babcock	Dewey	Higby	Moss	Southwick
Baker	Douglass	Hinds	Nelson	Stevens
Belknap	Elderkin	Horton	Noble	Stratton
J. Benedict	Ellwood	Hoppin	Pardee	Swords
T. H. Benedict	Ely	Humphrey	E. Perry	Speaker
Bird	Ferris	Ingersoll	J. L. Perry	A. A. Thompson
Bishop	Feller	Kellogg	Rockwell	Townsend
Bowne	Fisk	Lake	Rouse	Tuthill
Bradley	Fitzhugh	Langdon	Rowe	Underwood
Briggs	Gilbert	Lawyer	Rumsey	Wakeman
Burroughs	Gleason	Leggett	W. Russel	Ward
Campbell	Graham	Le Roy	Ryan	Wheeler
G. Clark	A. A. Gregory	Lesley	Shall	Whiteside
J. F. Clark	W. S. Gregory	Lyon	Sherman	Wooster
Colvin	Greene	Macomber	Shultes	Yeomans
Congdon				

91

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

By unanimous consent,

Mr. Wakeman presented the petition of sundry inhabitants of the city of New-York, for the passage of an act incorporating the Mexican ocean mail and inland company.

By unanimous consent,

Mr. Wakeman asked and obtained leave to bring in a bill entitled, "An act to incorporate the Mexican ocean mail and inland company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent,

Mr. Elderkin asked and obtained leave to bring in a bill entitled, "An act concerning the rank of officers of engineers, in the militia of the State of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defence.

In pursuance of previous notice, Mr. Hatch asked for and obtained leave to introduce a bill entitled, "An act to to authorise the common council of the city of Oswego, to levy a tax for building a fire proof county clerk's in the said city," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Hatch asked for and obtained leave to bring in a bill entitled, "An act to amend an act entitled, 'An act to incorporate the city of Oswego, passed March 24, 1848,' and the act amending the same, passed March 31, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Dewey asked for and obtained leave to introduce a bill entitled, "An act to prohibit the sale of firewood in the city of New-York, by unlicensed persons," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the New-York delegation.

By unanimous consent,

Mr. Dewey presented the petition of sundry persons, in favor of the passage of a law to prohibit the sale of firewood in the city of New-York, by unlicensed persons, which was read and referred to the select committee consisting of the New-York delegation.

Mr. Baker gave notice that he would at an early day, ask leave to introduce a bill constituting a board of education in the village of Williamsburgh.

Mr. H. Harris gave notice that he would at an early day, ask leave to introduce a bill to preserve the purity of certain streams used to supply the city of Albany, with water.

In pursuance of previous notice, Mr. H. Harris asked for and obtained leave to introduce a bill entitled, "An act to amend the act to combine into one act, the several acts relating to the city of Albany, passed April 12, 1842, and the several acts amendatory thereof,"

Mr. Feller gave notice that he would at an early day ask leave to introduce a bill entitled, "An act to incorporate the Dutchess county savings bank."

In pursuance of previous notice, Mr. Townsend asked for and obtained leave to bring in a bill entitled, "An act to effectuate certain conveyances," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Townsend asked for and obtained leave to bring in a bill entitled, "An act to provide for the publication of the reports of the superior court," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Bird asked for and obtained leave to bring in a bill entitled, "An act to amend an act entitled, 'An act concerning passengers arriving at the ports of entry and landings in this State,'" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

On motion of Mr. Feller,

The House, at one o'clock, adjourned.

MONDAY, FEBRUARY 3, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Daly.

The minutes of Saturday were read and approved.

Mr. Ingersoll presented the petition of sundry inhabitants of Chenango county, for a law authorising the Governor to fill vacancies in the office of justice of the peace, and confirming certain appointments already made, which was read and referred to the committee on the judiciary.

Mr. Minier presented the petition of John Ormiston, and others, of Chemung county, for the repeal of the free school law, which was read and referred to the committee on colleges, academies, and common schools.

Mr. Underwood presented the petition of 17 citizens of Springport, Cayuga county, for a law to prohibit the sale of intoxicating liquors as a beverage, which was read and referred to the select committee on that subject.

Mr. Cooke presented the remonstrance of the electors of the town of Athens, Greene co., against the division of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Cooke presented two remonstrances of citizens of Windham, and Lexington, against the formation of a new county, from parts of Delaware, Schoharie, and Greene counties, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Atwood presented the petition of sundry inhabitants of Aurora, Erie county, that the law authorising the sale of intoxicating drinks, may be repealed or so amended, as those dealing in the article shall be responsible for the result, which was read and referred to the select committee on that subject.

Mr. Doyle presented the petition of sundry inhabitants of Delaware county, for alteration of the law taxing bank stock, which was read and referred to the committee on banks and insurance companies.

Mr. Brayton presented the petition of Wm. E. Worden, and Morgan L. Worden, of Annsville, Oneida county, for relief, which was read and referred to the Commissioners of the Land Office.

Mr. Cooke presented the remonstrance of 130 electors of Jewett, Greene county, against the erection of a new county, from parts of Delaware, Schoharie, and Greene counties, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Barnes presented the petition of 66 voters of Warwick, Orange county, for an amendment of the present free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. J. W. Babcock presented the petition of 55 females of Wilson, Niagara co., for a law to provide more effectually for the education of what are termed street children, or children of intemperate or profligate parents, which was read and referred to the committee on charitable and religious societies.

Mr. Ely presented the petition of 49 citizens of Newark, Tioga co., for an amendment of the present school law, providing for eight months in each school district in this State, to be a general tax throughout the State, which was read and referred to the committee on colleges, academies and common schools.

Mr. J. L. Perry presented the petition for amending the charter of the village of Saratoga Springs, with the bill annexed, which was read and referred to the committee on the incorporation of cities and villages.

Mr. O. C. Thompson presented five petitions of the inhabitants of Rensselaer co., for a stay of the collection of rents in certain cases, which was read and referred to the select committee on that subject.

Mr. Campbell presented the proceedings and resolutions of a special town meeting, of the town of Butternuts, against a law authorising the Butternuts and Oxford turnpike company, to abandon a portion of their road, which was read and referred to committee of the whole when on the bill upon that subject.

The petition of the officers and privates of the 16th regiment of N. Y. State militia, against the repeal of the militia law and for certain amendments thereto, which was read and referred to the committee on militia and public defence.

Mr. Bottum presented 24 several remonstrances of citizens of Wayne co., against a division of said co., which were read and referred to the committee on the erection and division of towns and counties.

Mr. Bottum presented eight several petitions of citizens of Wayne co., for a division thereof, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Noble presented the petition of inhabitants of Warren co., for suppression of the liquor traffic, which was read and referred to the select committee on that subject.

Mr. Heath presented the petition of sundry citizens of Amsterdam, for a law providing for the education of indigent children, which was read and referred to the committee on charitable and religious societies.

Mr. O. Allen presented the memorials of 266 chiefs and warriors of the Seneca nation of Indians, for the repeal of the law of 1849 relative to the Seneca government, which was read and referred to the committee on Indian affairs.

Mr. L. Harris presented the resolutions of the board of supervisors of Chenango co., relative to the election of a local officer therein, which were read and referred to the committee on the judiciary.

Mr. Ferris presented the petition of the Cayuga and Susquehanna

railroad co., for an act to amend its charter and extend its powers, which was read and referred to the committee on railroads.

Mr. Anthon presented the memorial of 360 inhabitants of Richmond co., for protection against the unlawful acts of the authorities of New Jersey in relation to the oyster fisheries in New-York and Newark bays, which was read and referred to the select committee on that subject.

Mr. Bottum presented the petition of citizens of Wayne co., for the recharter of the Sodus canal co., which was read and referred to the committee on canals.

Mr. Jayne presented a petition supplementary of 27 additional petitioners, in favor of amending the charter of the village of Dundee, which was read and referred to the committee on the incorporation of cities and villages.

Mr. H. Harris presented the petition of 100 residents of Albany co., to stay the collection of rents in certain cases, which was read and referred to the select committee on that subject.

Mr. Hinds presented the petition of 355 inhabitants of Windsor, Broome co., for the unconditional repeal of the new school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Gilbert presented the petition of sundry inhabitants of Jefferson co., in relation to plank roads, which was read and referred to the committee on roads and bridges.

Mr. Moss presented ten several petitions containing 366 names of citizens of Niagara co., for an act to prevent under adequate penalties of fine and imprisonment the sale of intoxicating drinks, which were read and referred to the select committee on that subject.

Mr. Rouse presented the petition of 82 inhabitants of the town of Marshall, Oneida co., that a copy of Webster's quarto dictionary be placed in each of the district schools of the State, which was read and referred to the committee on colleges, academies and common schools.

Mr. Minier presented the petition of John Wanamakee and 77 others of Chemung co., for the repeal of the late or free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Hatch presented two remonstrances of citizens of Oswego co., against a diversion of the waters belonging to the Oswego river to feed the Sodus canal, which were read and referred to the committee on canals.

Mr. Townsend, from the committee on the judiciary, to which was referred a resolution in the nature of a petition of the board of supervisors of Chenango co., for the passage of an act to provide for the election of a special county judge, reported, and asked and obtained leave to bring in a bill entitled, "An act to provide for the election of a special county judge in the county of Chenango," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Underwood, from the committee on banks and insurance com-

panies, to which was referred so much of the Governor's message as relates to banks and insurance companies, reported, and asked and obtained leave to bring in a bill entitled, "An act to extend and modify an act to provide for the incorporation of insurance companies, passed April 10, 1849," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to amend the act to combine into one act, the several acts relating to the city of Albany, passed April 12, 1842, and the several acts amendatory thereof," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Backhouse, from the committee on grievances, to which was referred the petition of Benjamin L. Choate, for relief, reported, and asked and obtained leave to bring in a bill entitled, "An act to provide for the reappraisal of canal damages, and payment thereof to Benjamin L. Choate," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Backhouse, from the committee on grievances, to which was referred the petition of Levi Brown, for relief, reported, and asked and obtained leave to bring in a bill entitled, "An act for the reappraisal and payment of canal damages to Levi Brown," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Chamberlin, from the select committee on excise, to which was referred the bill entitled, "An act relating to excise," reported that the committee had examined said bill, and had come to the conclusion that the same ought not to be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. E. Perry, from the select committee consisting of the Albany city delegation, to which was referred the bill entitled, "An act to amend the charter of the Albany cemetery association," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bill entitled as follows :

"An act to release to the owners of farm lots, No. 256, and 257, in the Onondaga salt springs reservation, all the interests of the State therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the manufacture of salt.

A message from the Senate was received and read, informing that they had passed without amendment, the bills entitled, as follows:

"An act to amend an act, and the title thereof, entitled, 'An act to authorise the Syracuse and Tully plank road company, to make a branch of their road over lands of the Onondaga Indians,' passed March 20, 1850."

"An act authorising the Delaware plank road company, to borrow money."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Sherman called for the consideration of the resolutions heretofore offered by him, in relation to the tariff.

Mr. Burroughs moved to lay on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

Debate being had thereon,

Mr. Wheeler moved that the said resolutions be laid on the table and printed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wheeler, and it was determined in the affirmative.

Mr. Dewey gave notice that he would at a future day ask leave to introduce a bill to amend an act to provide for the government of the department of alms house and penitentiary, in the city and county of New-York, passed April 6, 1849.

Mr. W. S. Gregory gave notice that he would at a future day ask leave to introduce a bill to incorporate the asylum for friendless boys in the city of New-York.

In pursuance of previous notice, Mr. Feller asked for and obtained leave to introduce a bill entitled, "An act to incorporate the Dutchess co. savings bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

In pursuance of previous notice, Mr. Baker asked for and obtained leave to bring in a bill entitled, "An act constituting a board of education, and for the regulation of public schools in the village of Williamsburgh," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on colleges, academies and common schools.

In pursuance of previous notice, Mr. Jayne asked for and obtained leave to bring in a bill entitled, "An act to extend the time for the collection of taxes in the town of Italy, county of Yates," which was read the first time and by unanimous consent was also read the second time, and referred to the select committee on the assessment and equalization of taxes.

In pursuance of previous notice, Mr. J. L. Perry asked for and obtained leave to introduce a bill entitled, "An act to authorise assessors to examine persons on oath in relation to their personal property," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee.

Mr. J. L. Perry offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the Clerk be directed to furnish a copy of the last edition of the Revised Statutes to each member of the House, the same to be paid for out of the contingent fund.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. Anthon called for the consideration of the resolutions offered by Mr. A. A. Thompson on the 30th ult., in relation to the recent compromise measures of Congress.

Mr. Wheeler moved that said resolution be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wheeler, and it was determined in the affirmative.

In pursuance of previous notice, Mr. Ferris asked for and obtained leave to bring in a bill entitled, "An act to amend the charter of the Cayuga and Susquehanna railroad company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. J. Benedict moved severally to suspend the intermediate orders of business so as to enable the House to go into committee of the whole on sundry bills.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. J. Benedict, and it was determined in the affirmative.

On motion of Mr. J. Benedict,

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to authorise the commissioners of highways of the town of Lancaster to borrow money."

"An act submitting the claim of Daniel Cornell and Ransom Clark of the town of Guilford, in the county of Chenango, to the electors of said town."

"An act to change the place of holding the annual town meeting of the town of Seward, county of Schoharie, for the year 1851."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Briggs, from said committee, reported that the committee had gone through said bills, and agreed to the same with an amendment to said first mentioned bill, which report was agreed to.

Ordered, That the said bills be engrossed for a third reading.

The House then resolved itself into a committee of the whole on the bills entitled, as follows, to wit:

"An act to change the name of the town of Schuyler Falls, in the county of Clinton."

The Senate bill entitled, "An act in relation to railroad corporations."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Stratton, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

Mr. Stratton, from said committee, reported progress on said last mentioned bill, and asked and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled, as follows, to wit:

"An act authorising the supervisor and town clerk of the town of Jamaica, Queens co., to sell and convey certain common lands belonging to said town."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Blackstone, from said committee, reported that the committee had gone through said bill, and agreed to the same with an amendment.

Ordered, That said bill be engrossed for a third reading.

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to confirm the title of George Webber to real estate conveyed to him by James Chappel."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Stevens, from said committee, reported that the committee had gone through said bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

On motion of Mr. Feller,
The House, at two o'clock, adjourned.

TUESDAY, FEBRUARY 4, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Frazer.

The minutes of yesterday were read and approved.

Mr. Underwood presented the petition of John C. Yawger, and 31 citizens of Cayuga county, for a renewal of the charter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. Bishop presented the petition of Mathew Mitchell and 45 others, for appropriation for the Hudson orphan asylum, which was read and referred to the committee on charitable and religious societies.

Mr. Sherman presented the petition of C. P. H. McLella, and 35 others, citizens of Poughkeepsie, for a copy of Webster's dictionary for each school district in the State, which was read and referred to the committee on colleges, academies and common schools.

Mr. Robinson presented the petition of sundry inhabitants of Poughkeepsie, with a bill, for a law defining the duties of overseers of the poor in Dutchess county, respecting violations of the license law, which was read and referred to the select committee on that subject.

Mr. Kellogg presented the petition of E. F. Phillips, and 384 citizens of Homer, Cortland county, for a law which shall prohibit under adequate penalties, the sale of intoxicating drinks as a beverage, which was read and referred to the select committee on that subject.

Mr. Backhouse presented the petition of 1475 citizens of Brooklyn, for the repeal of laws respecting orphan asylums, which was read and referred to the committee on colleges, academies and common schools.

Mr. Rowe presented the petition of citizens of Pittsford, in the county of Monroe, for aid to the Genesee college, which was read and referred to the committee on colleges, academies and common schools.

Mr. Fisk presented the petition of 78 citizens of Le Roy, Genesee county, for an appropriation to Genesee co.

Mr. Minier presented the petition of H. A. Treat, and others, of Chemung county, for the repeal of the new school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Severance presented two petitions of electors of Erie county, to reduce the fees of the county clerk of said county, and to repeal the law making said office a salaried office, which was read and referred to committee of the whole when on the bill upon that subject.

Mr. Severance presented three several petitions of citizens of Concord, Erie county, for the repeal or alteration of the free school law, which were read and referred to the committee on colleges, academies and common schools.

Mr. Bottum presented 10 several remonstrances of the citizens of Wayne county, against a division thereof, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Yeomans presented six petitions of citizens of Wayne county for a division thereof, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Shultes presented two petitions of 181 citizens of Albany co., for the passage of an act authorising a stay of the collection of rents in certain cases, which was read and referred to the select committee on that subject.

Mr. Varnum presented a memorial of the officers of the New-York academy of medicine for an act of incorporation, which was read and referred to the committee on medical societies and colleges.

Mr. Varnum presented the petition of the New-York eye infirmary, for an appropriation towards its support, which was read and referred to the committee on ways and means.

Mr. Farr presented the petition of 13 lawyers of Washington county, for the repeal of the death penalty, and that perpetual solitary confinement be substituted in lieu thereof, which was read and referred to the select committee on that subject.

Mr. Ellwood presented the petition of 100 citizens of Schenectady

that Webster's quarto dictionary, be distributed to each of the school districts throughout the State, which was read and referred to the committee on colleges, academies and common schools.

Mr. Rockwell presented two remonstrances of citizens of Schoharie county, against a division of said co., which were read and referred to the committee on the erection and division of towns and counties.

Mr. Lawyer presented two remonstrances of citizens of Schoharie county, against a division of said county, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Cooke presented two remonstrances of citizens of Greene county, against the erection of a new county, from parts of Delaware, Schoharie, and Greene counties, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Carrington presented the petition of sundry inhabitants of Steuben co., against the present free school law, which was read and referred to the committee on colleges, academies, and common schools.

Mr. Miles presented the petition of 27 inhabitants, tax payers of the town of Canisteo, Steuben co., for the passage of a law making Addison a half shire-town in said county, which was read and referred to the committee of the whole when on the bill upon that subject.

Mr. Whiteside presented the remonstrance of 150 citizens of Cambridge, Wash. co., against par redemption in N. Y. or Albany, which was read and referred to the committee on banks and insurance companies.

Mr. French presented a petition for the repeal of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Severance presented the petition of electors of Erie co., to reduce the fees of the county clerk of said county and to repeal the law making said office a salaried office, which was read and referred to the committee of the whole when on the bill on that subject.

Mr. Macomber presented the petition of George Carnigie, president on behalf of the Thistle benevolent society of the city of New-York, praying for an act of incorporation, which was read and referred to the committee on charitable and religious societies.

Mr. Severance presented the petition of citizens of Conend, Erie co., asking for the repeal or alteration of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Farr presented the petition of 92 inhabitants of Fort Ann, Wash. co., for repeal of the new school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Bottum presented the petition of citizens of Wayne co., for the recharter of the Sodus canal co., which was read and referred to the committee on canals.

Mr. Humphrey presented the petition of citizens of Hammondsport, Steuben co., for an appropriation to Genesee co., which was

read and referred to the committee on colleges, academies and common schools.

Mr. Maurice presented the petition of Daniel Bogart and 126 other inhabitants of North Hempstead, Queens co., for the repeal of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. J. L. Perry presented the petition of 380 citizens of Saratoga co., for the passage of a lien law, which was read and referred to the committee on the judiciary.

Mr. Pardee presented the petition of citizens of Ontario co., asking an appropriation for the purchase of Webster's quarto dictionary for each school district in the State, which was read and referred to the committee on colleges, academies and common schools.

Mr. Lesley presented the resolution of the president and trustees of the village of Lansingburgh in the nature of a petition, asking an amendment to its charter, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Cooke presented the remonstrance of citizens of the town of Windham, in the county of Greene, against the erection of a new county from parts of Delaware, Schoharie and Greene, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Snell presented the petition of Lewis Ransom, of Fort Plain, for relief, which was read and referred to the committee on claims.

Mr. Lyon presented the petition of citizens of Lewis co., praying for the equalization of taxation, which was read and referred to the select committee on that subject.

Mr. A. A. Thompson moved to suspend the pending order of business to enable him to offer a resolution.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. A. A. Thompson, and it was determined in the negative.

Mr. Hatch presented the petition of inhabitants of school district No. 14, in the town of Volney, for the unconditional repeal of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Campbell presented two petitions of sundry inhabitants of the county of Otsego, asking for the repeal of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Wheeler presented the memorial of certain insurance companies, which was read and referred to the committee on banks and insurance companies.

Mr. Backhouse presented the petition of the board of education of Brooklyn, for the repeal of laws respecting orphan asylums, which was read and referred to the committee on colleges, academies and common schools.

On motion of Mr. Wheeler,

The House proceeded to the consideration of the joint resolution from the Senate, in relation to the election of Regent of the University.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return the said resolution to the Senate, and inform them that the Assembly have concurred in the same without amendment.

Three several messages were read, from the Governor, informing that he had approved and signed the bills entitled as follows, to wit:

“An act to confirm the election or designation of Horatio Randall and Warren D. Cain, as justices of the sessions, in and for the county of Herkimer.”

“An act to provide for the drawing of a petit jury in the county of Schoharie.”

• “An act to amend an act entitled, “An act for increasing the number of justices of the superior court of the city of New-York, and for extending the jurisdiction of that court,” passed March 24, 1849, and the act amending the same, passed April 10, 1849, and also to amend title five, of part first, of the code of procedure ”

“An act to change the time of holding the next circuit court, and court of oyer and terminer appointed to be held in and for the county of Oneida.”

“An act to authorise the trustees of union school district number five, in the village of Bath, in the county of Steuben, to raise money by tax.”

“An act in relation to the supervisors of the city of Brooklyn, in the county of Kings.”

“An act authorising the expenditure of a portion of the proceeds of the sale of the arsenal and arsenal lot, in the village of Malone, in the county of Franklin, for the purpose of improving, the arsenal green, in said village.”

“An act to extend the time for the collection of taxes of 1850.”

“An act for the relief of Sarah McFrancis.”

“An act to amend an act, and the title thereof, entitled, ‘An act to authorise the Syracuse and Tully plank road company, to make a branch of their road over lands of the Onondaga Indians,’ passed March 20, 1850.”

Mr. Speaker presented the annual report of unclaimed dividends and deposits of the bank of the New-York dry dock company.

Mr. Speaker presented the annual report of the commissioners of emigration.

Mr. Varnum offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That there be printed, the usual number of the report of the commissioners of emigration, with 500 additional copies, for the use of the commissioners.

Mr. Elderkin moved to amend by striking out all after the word “resolved,” and inserting the following words:

“That twice the usual number of the report of the commissioners of emigration and appendices, and five hundred copies for the use of the commissioners, be printed.

Mr. Speaker put the question whether the House would agree to

the said motion of Mr. Elderkin, to amend and it was determined in the affirmative.

Mr. Speaker put the question, whether the House would agree to the said resolution, as amended, and it was determined in the affirmative.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act authorising the supervisor and town clerk of the town of Jamaica, Queens county, to sell and convey certain common land, belonging to said town."

"An act submitting the claim of Daniel Cornell and Ransom Clark of the town of Guilford, in the county of Chenango, to the electors of said town."

"An act to change the place of holding the annual town meeting of the town of Seward, county of Schoharie, for the year 1851."

"An act to change the name of the town of Schuyler Falls, in the county of Clinton."

"An act to authorise the commissioners of highways of the town of Lancaster to borrow money."

Ordered, That said bills be read the third time.

Mr. Lesley, from the committee on roads and bridges, to which was referred the petition of trustees of the Medina and Alabama plank road company, for an act to authorise them to borrow money, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the Medina and Alabama plank road company, to borrow money, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the bill entitled, "An act to enable the supervisors of the towns of Poughkeepsie, and Fishkill, to borrow money to build a bridge on Wappingers creek, at Wappingers Falls," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Stevens, from the committee on the manufacture of salt, to which was referred the Senate bill entitled, "An act to release to the owners of farm lots No. 256, and 257, in the Onondaga salt springs reservation, all the interests of the State therein," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Wakeman, from the committee on commerce and navigation, to which was referred the bill entitled, "An act to incorporate the Mexican ocean mail and inland company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Wakeman, from the committee on commerce and navigation, to which was referred the bill entitled, "An act declaring Chateaugay river, in the State of New-York, a public highway, and regulating the passage of logs and lumber down the same," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Sherman, from the committee on claims, to which was referred the report of the commissioners appointed to appraise the damages of Wm. George Barnhart, and others, in consequence of their being deprived of certain lands by the State, reported, and asked and obtained leave to bring in a bill entitled, "An act for the payment to Wm. George Barnhart, Jacob Barnhart, George Robertson, George Gallinger, and George Swetzing, of the amount of their damages, appraised by commissioners appointed under the act passed April 10, 1850," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lyon, from the committee on public lands, to which was referred the bill entitled, "An act concerning the public lands, and the survey and disposition thereof in sixty acre lots free of charge to actual settlers," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Harris, from the committee on militia and public defence, to which was referred the bill entitled, "An act concerning the rank of engineers in the militia of the State of New-York," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Wakeman, from the select committee on assessments and equalization of taxation, to which was referred the bill entitled, "An act to extend the time for the collection of taxes in the town of Italy, in the county of Yates," reported by resolution as follows :

Resolved, That the select committee on the assessment and equalization of taxation be discharged from the further consideration of the bill, and that it be referred to a select committee consisting of the Yates co. delegation.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

The bill entitled, "An act to authorise the commissioners of highways of the town of Lancaster to borrow money," was read a third time.

Mr. Speaker put the question whether the House would agree to

the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 114 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Campbell	A. A. Gregory	Lewis	Siekles
O. Allen	Carrington	W. S. Gregory	Lyon	A. Smith
Anthon	Chamberlin	Greene	McLouth	E. T. Smith
Atwood	G. Clark	H. Harris	Macomber	Snell
R. Babcock	Coffin	L. Harris	Miles	Southwick
J. W. Babcock	Colvin	Hatch	Minier	Stevens
Backhouse	Cooke	Heath	Moss	Stewart
Baker	Congdon	Hewit	Nelson	Stratton
Barnes	Corser	Higby	Norton	Swords
Belknap	Davis	Hinds	Pardee	Speaker
J. Benedict	Douglass	Horton	J. L. Perry	A. A. Thompson
T. H. Benedict	Doyle	Hoppin	Pool	O. C. Thompson
Bird	Elderkin	Humphrey	Rider	Townsend
Bishop	Ellwood	Ingersoll	Robinson	Tuthill
Blackstone	Ely	Jayne	Rockwell	Underwood
Bottum	Farr	Kinsley	Rouse	Varnum
Bowne	Ferris	Kellogg	Rowe	Wakeman
Bradley	Feller	Lake	W. Russell	Ward
Brayton	Fisk	Langdon	W. F. Russell	Wheeler
Briggs	Fitzhugh	Lawyer	Severance	Whiteside
Burroughs	Fordyce	Leggett	Shall	Wooster
Bushnell	Gleason	Le Roy	Sherman	Yeomans
Cady	Graham	Lesley	Shultes	114

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act authorising the supervisor and town clerk of the town of Jamaica, county of Queens, to sell certain land belonging to said town," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 116 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	A. A. Gregory	Lyon	Shultes
O. Allen	G. Clark	W. S. Gregory	Macomber	Siekles
Anthon	J. F. Clark	Greene	Maurice	A. Smith
Atwood	Coffin	H. Harris	Miles	E. T. Smith
R. Babcock	Colvin	L. Harris	Minier	Snell
J. W. Babcock	Cooke	Hatch	Moss	Southwick
Backhouse	Congdon	Hewit	Nelson	Stevens
Baker	Corser	Higby	Norton	Stewart
Barnes	Dewey	Hinds	Pardee	Stratton
Belknap	Douglass	Horton	E. Perry	Swords
J. Benedict	Doyle	Hoppin	J. L. Perry	Speaker

Bird	Elderkin	Humphrey	Pool	A. A. Thompson
Bishop	Ellwood	Ingersoll	Rider	O. C. Thompson
Blackstone	Ely	Jayne	Robinson	Tuthill
Bottum	Farr	Kinsley	Rockwell	Underwood
Bowne	Ferris	Kellogg	Rouse	Wakeman
Bradley	Feller	Lake	Rowe	Ward
Brayton	Fisk	Langdon	Rumsey	Welden
Briggs	Fitzhugh	Lawyer	W. Russel	Wheeler
Burroughs	Fordyce	Leggett	W. F. Russell	Whiteside
Bushnell	Gilbert	Le Roy	Severance	Wooster
Cady	Gleason	Lesley	Shall	Wright
Campbell	Graham	Lewis	Sherman	Yeomans
Carrington				

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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The hour of twelve o'clock having arrived, pursuant to title six, article four, of the sixth chapter, of the first part of the Revised Statutes of this State, and agreeable to the concurrent resolution of the Senate and Assembly, the House proceeded to the nomination of a Senator to represent this State in the Senate of the Congress of the United States in the place of Daniel S. Dickinson, whose term of service will expire on the 4th day of March, 1851, when each member openly nominated as follows, to wit :

FOR HAMILTON FISH,

O. Allen	Chamberlin	Graham	McLouth	A. Smith
Atwood	G. Clark	A. A. Gregory	Macomber	Southwick
J. W. Babcock	Cooke	W. S. Gregory	Miles	Stevens
Baker	Corser	H. Harris	Moss	Swords
Belknap	Dewey	L. Harris	Nelson	Speaker
J. Benedict	Douglass	Heath	Norton	Townsend
T. H. Benedict	Ellwood	Hewit	Pardee	Tuthill
Bird	Ely	Hinds	J. L. Perry	Underwood
Bishop	Farr	Hoppin	Rouse	Varnum
Bottum	Ferris	Humphrey	Rowe	Wakeman
Bradley	Feller	Ingersoll	Rumsey	Ward
Brayton	Fisk	Kellogg	Ryan	Welden
Briggs	Fitzhugh	Lake	Severance	Wheeler
Cady	Fordyce	Langdon	Sherman	Whiteside
Campbell	Gilbert	Leggett	Shultes	Yeomans
Carrington	Gleason	Lesley		

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FOR JOHN A. DIX,

R. Babcock	Congdon	Higby	Noble	Stewart
Barroughs	Davis	Horton	Pool	Stilwell
Bushnell	Dennison	Jayne	Rider	Stratton
J. F. Clark	Doyle	Le Roy	W. Russel	O. C. Thompson
Coffin	Elderkin	Lewis	Shall	Wooster
Colvin	Hatch	Minier	Snell	

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FOR JAMES T. BRADY,

H. J. Allen	Lawyer	Rockwell	E. T. Smith	A. A. Thompson
Barnes	Robinson			

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FOR HORATIO SEYMOUR,

Bowne	Kinsley	W. F. Russell	Kirkles
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FOR FRANCIS GRANGER,

Blackstone	Greene	2
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FOR WM. L. MARCY,

French	1
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FOR WASHINGTON IRVING,

Lyon	1
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JOHN L. RIKER,

Maurice	1
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ERASTUS CORNING,

E. Perry	1
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GEORGE WOOD,

Anthon	1
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DANIEL LORD,

Backhouse	1
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LEVI S. CHATFIELD,

Wright	1
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On motion of Mr. Wheeler,

Resolved, That Hamilton Fish, be, and he is hereby nominated on the part of the Assembly, a Senator to represent this State in the Senate of the Congress of the United State, for six years from the 4th day of March, 1851, to fill the vacancy which will occur on that day, by the expiration of the term of service of Daniel S. Dickinson.

Pursuant to title third, of the fifth chapter of the first part of the Revised Statutes, and agreeably to the concurrent resolution of the Senate and Assembly, the House proceeded to nominate a Regent of the University, in the place of Phillip Wendell, deceased, when each member present openly nominated as follows:

FOR J. N. CAMPBELL,

O. Allen	Campbell	Gilbert	Leggett	Shultes
Anthon	Carrington	Gleason	Lesley	A. Smith
Atwood	Chamberlin	Graham	McLouth	Southwick
J. W. Babcock	G. Clark	A. A. Gregory	Macomber	Stevens
Backhouse	Coffin	W. S. Gregory	Miles	Swords
Baker	Cooke	Greene	Moss	Speaker
Belknap	Corser	H. Harris	Nelson	Townsend
J. Benedict	Dewey	L. Harris	Norton	Tuthill
T. H. Benedict	Douglass	Heath	Pardee	Underwood
Bird	Ellwood	Hewit	J. L. Perry	Varnum
Bishop	Ely	Hinds	Rouse	Wakeman
Blackstone	Farr	Hoppin	Rowe	Ward
Bottum	Ferris	Humphrey	Rumsey	Welden
Bradley	Feller	Ingersoll	Ryan	Wheeler
Brayton	Fisk	Kellogg	Severance	Whiteside
Briggs	Fitzhugh	Lake	Sherman	Yeomans
Cady	Fordyce	Langdon		

FOR W. L. MARCY,

Bowne	Doyle	Kinsley	E. Perry	E. T. Smith
Burroughs	Elderkin	Lawyer	Pool	Snell
Bushnell	French	Le Roy	Rider	Stewart
J. F. Clark	Hatch	Lewis	Rockwell	Stilwell
Colvin	Higby	Lyon	W. Russell	Stratton
Congdon	Horton	Minier	W. F. Russell	O. C. Thompson
Davis	Jayne	Noble	Shall	Wooster
Dennison				36

FOR T. R. BECK,

H. J. Allen	Barnes	Wright	3
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FOR HENRY NICOLL,

Robinson	A. A. Thompson	2
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FOR I. N. WYCKOFF,

R. Babcock	1
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FOR WILLIAM INGOLS,

Maurice	1
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On motion of Mr. Wheeler,

Resolved, That John N. Campbell, be, and he is hereby nominated on the part of the Assembly, a Regent of the University, in the place of Phillip Wendell, deceased.

On motion of Mr. Wheeler,

Resolved, (If the Senate concur,) That the Assembly will immediately meet the Senate in the Assembly chamber, to compare their respective nominations, for the office of Senator in Congress, and Regent of the University.

The bill entitled, "An act submitting the claim of Daniel Cornell, and Ransom Clark, of the town of Guilford, in the county of Chenango, to the electors of said town," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 113 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Carrington	A. A. Gregory	Macomber	A. Smith
O. Allen	Chamberlin	W. S. Gregory	Maurice	E. T. Smith
Anthon	G. Clark	Greene	Minier	Snell
Atwood	J. F. Clark	H. Harris	Moss	Southwick
R. Babcock	Coffin	L. Harris	Nelson	Stevens
J. W. Babcock	Colvin	Hatch	Noble	Stewart
Backhouse	Cooke	Hewit	Pardee	Stillwell
Baker	Corser	Higby	E. Perry	Stratton
Barnes	Davis	Hinds	J. L. Perry	Swords
Belknap	Dennison	Horton	Pool	Speaker
J. Benedict	Dewey	Hoppin	Rider	A. A. Thompson

T. H. Benedict	Douglass	Humphrey	Robinson	O. C. Thompson
Bird	Elderkin	Kinsley	Rockwell	Tuthill
Bishop	Ellwood	Kellogg	Rouse	Underwood
Blackstone	Ely	Lake	Rowe	Wakeman
Bottum	Farr	Langdon	Ramsey	Ward
Bowne	Ferris	Lawyer	W. Russell	Welden
Bradley	Feller	Loggett	Ryan	Wheeler
Brayton	Fisk	Le Roy	Shall	Whiteside
Briggs	Fitzhugh	Lesley	Sherman	Wooster
Burroughs	Fordyce	Lewis	Shultes	Wright
Bushnell	Gilbert	Lyon	Sickles	Yeomans
Cady	Gleason	McLouth		

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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

On motion of Mr. Bishop,
The House, at 12½ o'clock, adjourned.

WEDNESDAY, FEBRUARY 5, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Daly.

The minutes of yesterday were read and approved.

Mr. Shultes presented three several petitions, to stay the collection of rents in certain cases, which was read and referred to the select committee on that subject.

Mr. Hewit presented the resolutions of supervisors of Clinton co., for the repeal of the registry law, which were read and referred to the select committee on that subject.

Mr. Robinson presented two petitions of sundry inhabitants of Dutchess co., for alteration of the free school law, which were read and referred to the committee on colleges, academies and common schools.

Mr. Lyon presented the petition of sundry citizens of Lewis co., for an amendment to the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. J. Benedict presented the petition of sundry inhabitants of Rome, Oneida co., for the election of a police justice in said village, which was read and referred to the committee on the judiciary.

Mr. J. Benedict presented 13 petitions of sundry inhabitants of Oneida co., for a stay of the collection of rents in certain cases, which were read and referred to the select committee on that subject.

Mr. O. C. Thompson presented three remonstrances of citizens of Rensselaer co., against any special privileges being given to the city of Troy, with regard to the distribution of school money, which were read and referred to committee of the whole when on the bill upon that subject.

Mr. Southwick presented the petition of Edward Mynderse, and

32 others, owners or occupants of water power, in the village of Seneca Falls, praying that if the outlet of Seneca lake is widened and deepened, that there may be waste or guard gates, so fixed, as to control and regulate the water in said lake, so that they may be protected from the floods, and be enabled to preserve the water in the lake sufficient for purposes of navigation and machinery, which was read and referred to the committee on canals.

Mr. Pardee presented the petition of citizens of Ontario county, for a modification of the present free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. LeRoy presented the petition of Hicks Worden, for an amendment of the general law for the incorporation of villages, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Ferris presented the petition of 85 citizens of Charlotte, Saratoga county, for the unconditional repeal of the free school law, the abolition of the office of superintendent, and discontinuance of the common school journal, which was read and referred to the committee on colleges, academies and common schools.

Mr. H. J. Allen presented the petition of the pilots and several other citizens of New-York, for the passage of the pilot bill now before the House, which was read and referred to the committee on commerce and navigation.

Mr. H. Harris presented two petitions of sundry citizens of Albany, to stay the collection of rents in certain cases, which were read and referred to the select committee on that subject.

Mr. Doyle presented three remonstrances of sundry inhabitants of Delaware co., against the erection of any new county which shall include within its boundaries parts of Delaware co., which were read and referred to the committee on the erection and division of towns and counties.

Mr. J. L. Perry presented the petition of sundry citizens of Saratoga co., for a law to prohibit the sale of alcoholic liquors, which was read and referred to the select committee on that subject.

Mr. E. T. Smith presented two petitions of inhabitants of Suffolk co., for the repeal of the free school law, which were read and referred to the committee on colleges, academies and common schools.

Mr. Yeomans presented eight petitions of citizens of Wayne county for a division thereof, which were read and referred to the committee on the erection and division of towns and counties.

Mr. L. Harris presented the petition of sundry inhabitants of Smyrna, for a modification of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Bottum presented the petition of citizens of Wayne co., for the recharter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. Severance presented five petitions of citizens of Concord, for the repeal or alteration of the free school law, which were read and referred to the committee on colleges, academies and common schools.

Mr. O. C. Thompson presented the petition of 92 citizens of Albany, to stay the collection of rents on manorial lands in certain cases, which was read and referred to the select committee on that subject.

Mr. Barnes presented the petition of 41 citizens of Deerpark, Orange co., for the repeal of the present free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Rumsey presented the petition of inhabitants of Orange co., for the repeal of the law in relation to the draining of swamps and bog meadows, which was read and referred to the committee on the judiciary.

Mr. Bottum presented the petition of citizens of Wayne co., for the repeal of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Ferris presented the petition of the heirs of Peter Feriere, for a law to authorise them to hold real estate, which was read and referred to the committee on the petitions of aliens.

Mr. Fisk presented the petition of 59 inhabitants of Genesee co., for an amendment of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Kinsley presented the petition of several inhabitants of the town of Ashland, Greene co., for the erection of a new county from parts of Greene, Delaware and Schoharie, which was read and referred to the committee on the erection and division of town and counties.

Mr. Ferris presented three petitions of sundry inhabitants of Tompkins co., for the prohibition of the sale of intoxicating drinks, which were read and referred to the select committee on that subject.

Mr. Gleason presented the remonstrance of citizens of Gilboa, Schoharie county, against the erection of a new county from parts of Greene, Delaware and Schoharie, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Hatch presented four remonstrances of citizens of Oswego co., against the diversion of the waters of Oswego river to the Sodus canal, which was read and referred to the committee on canals.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of the board of supervisors of Monroe co., for the abolition of the office of recorder of the city of Rochester, reported, and asked and obtained leave to bring in a bill entitled, "An act to abolish the office of Recorder in the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of inhabitants of school district No. 6 of Elmira, Chemung co., praying for relief, reported, and offered the following resolution, to wit :

Resolved, That the committee on the judiciary be discharged from the further consideration of the matter, and that it be referred to the select committee on taxation.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. O. Allen, from the committee on canals, to which was referred the petition of W. S. Young and O. L. Phelps, asking for a charter for a canal from Cayuga creek, above the Falls of Niagara, to Lewiston, in the county of Niagara, reported the following resolution, to wit :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. O. Allen, from the committee on canals, to which was referred the petition of sundry inhabitants of Onondaga and Oswego counties, for the passage of a law authorising the Canal Commissioners to lower the Phoenix dam on the Oswego river, reported the following resolution, to wit :

Resolved, That the committee on canals be discharged from the further consideration of the subject.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Varnum, from the committee on railroads, to which was referred the bill entitled, "An act to amend the charter of the Cayuga and Susquehanna railroad co.," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Severance, from the committee on claims, to which was referred the petition of Patrick Rodgers, for relief under his canal contract, reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of Patrick Rodgers," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. J. L. Perry, from the committee on medical colleges and societies, to which was referred the memorial of the officers of the New-York academy of medicine, asking for an act of incorporation, reported, and asked and obtained leave to bring in a bill entitled, "An act to incorporate the New-York academy of medicine," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Rumsey, from the committee on trade and manufactures, to which was referred the bill entitled, "An act to amend the act entitled, 'An act relating to sales by auction, in the city of Albany,'" reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Backhouse, from the committee on grievances, to which was referred the petitions of Andrew Rockwell, & Co., for relief, on their canal contract, reported, and asked and obtained leave to bring in a

bill entitled, "An act for the relief of Andrew Rockwell, and Samuel Guthrie," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Sherman, from the committee on claims, to which was referred the petition of Volney Hughes, and C. W. Woolston, for canal damages, reported in writing, and asked and obtained leave to bring in the bills entitled as follows:

"An act to provide for the appraisal and payment of canal damages to Volney Hughes;"

"An act to provide for the appraisal and payment of canal damages to Charles W. Woolston," which were read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(See Doc. No. 47.)

Mr. Lyon from the committee on public lands, to which was referred the remonstrance and petition of Peter Lappin, and others, on the subject of the petition of Samuel B. Ludlow, reported for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the committee on public lands be discharged from the further consideration, and that it be referred to the Commissioners of the Land Office.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Varnum, from the select committee consisting of the New-York delegation, to which referred the bill entitled, "An act to prohibit the sale of firewood in the city of New-York, by unlicensed persons," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Speaker presented the annual report of unclaimed dividends and deposits of the institution for the savings of merchant's clerks, which was read and referred to the committee on banks and insurance companies.

Mr. Speaker presented the annual report of unclaimed dividends and deposits of the South Brooklyn savings institution, which was read and referred to the committee on banks and insurance companies.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bills entitled as follows:

"An act to amend the act entitled, 'An act to authorise the business of banking,' passed May 26, 1841," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

"An act to amend the charter of the city of Schenectady," which was read the first time, and by unanimous consent was also read

the second time, and referred to the committee on the incorporation of cities and villages.

"An act in relation to mutual fire insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

"An act to authorise the city of Brooklyn, to create a loan for the purpose of paying existing liabilities to the first of September next," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

The bill entitled, "An act to change the place of holding the annual town meeting of the town of Seward, county of Schoharie, for the year 1851," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	J. F. Clark	L. Harris	Moss	Snell
O. Allen	Coffin	Hatch	Noble	Southwick
Amthor	Colvin	Hewitt	Norton	Stevens
Atwood	Congdon	Higby	Pardee	Stewart
J. W. Babcock	Corser	Hinds	E. Perry	Stillwell
Backhouse	Davis	Horton	J. L. Perry	Stratton
Barnes	Dennison	Hoppin	Pool	Swords
Belknap	Dewey	Humphrey	Robinson	Speaker
J. Benedict	Douglass	Ingersoll	Rockwell	O. C. Thompson
T. H. Benedict	Elderkin	Kellogg	Rouse	Townsend
Blackstone	Ellwood	Lake	Rowe	Tuthill
Bottum	Ely	Langdon	Rumsey	Underwood
Bradley	Farr	Lawyer	W. Russel	Varnum
Brayton	Ferris	Leggett	Ryan	Wakeman
Briggs	Feller	Le Roy	Severance	Ward
Burroughs	Fitzhugh	Lesley	Shall	Welden
Bushnell	Fordyce	Lyon	Sherman	Whiteside
Cady	Gleason	McLouth	Shultes	Wooster
Carrington	W. S. Gregory	Macomber	Sickles	Wright
Chamberlin	Greene	Maurice	A. Smith	Yeomans
G. Clark	H. Harris	Miles	E. T. Smith	104,

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

By unanimous consent,

Mr. Stevens presented the petition of V. W. Smith, and sundry citizens of the city of Syracuse, asking that a savings institution may be chartered in said city, by the name of the Onondaga co. savings bank, which was read and referred to the committee on banks and insurance companies.

The bill entitled, "An act to change the name of the town of Schuyler Falls, in the county of Clinton," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	W. S. Gregory	Maurice	Siekles
O. Allen	G. Clark	Greene	Miles	A. Smith
Anthon	J. F. Clark	H. Harris	Moss	Snell
Atwood	Ceffin	L. Harris	Nelson	Southwick
R. Babcock	Colvin	Hatch	Noble	Stevens
J. W. Babcock	Congdon	Hewit	Pardee	Stilwell
Backhouse	Corser	Higby	E. Perry	Stratton
Baker	Dennison	Hinds	J. L. Perry	Swords
Barnes	Douglass	Hoppin	Pool	Speaker
Belknap	Doyle	Humphrey	Robinson	Townsend
J. Benedict	Elderkin	Ingersoll	Rockwell	Tutbill
T. H. Benedict	Ellwood	Kinsley	Rouse	Underwood
Blackstone	Ely	Kellogg	Rowe	Varnum
Bottum	Farr	Langdon	Rumsey	Wakeman
Bradley	Ferris	Lawyer	W. Russell	Ward
Brayton	Feller	Leggett	W. F. Russell	Welden
Briggs	Fisk	Le Roy	Ryan	Whiteside
Burroughs	Fitzhugh	Lesley	Severance	Wooster
Bushnell	Fordyce.	Lyon	Shall	Wright
Cady	Gilbert	McLouth	Sherman	Yeomans
Carrington	Gleason	Macomber	Shultes	

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

Mr. O. Allen offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That a committee be appointed on the part of this House, to confer with a committee on the part of the Senate, on the subject of joint rules.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. Varnum gave notice that he would at an early day, ask leave to introduce a bill to amend the act in relation to the assessment and collection of taxes, in the city of New-York, passed March 30, 1850.

In pursuance of previous notice, Mr. Varnum asked for and obtained leave to introduce a bill entitled, "An act in relation to mortgages taken by the commissioners, for loaning certain moneys of the United States," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Varnum asked for and obtained leave to bring in a bill entitled, "An act declaratory of an act to authorise the recording of wills of real estate, and of exemplifications of judgments, records, and decrees, in partition suits, and for other purposes, passes May 11, 1846," which was read the

first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Varnum,

Resolved, That the use of the Assembly chamber, be granted to the State medical society, for their meeting this evening.

In pursuance of previous notice, Mr. Ellwood asked for and obtained leave to bring in a bill entitled, "An act in relation to the duties and powers of canal superintendents," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

In pursuance of previous notice, Mr. Backhouse asked for and obtained leave to bring in a bill entitled, "An act for the preservation of game in the counties of Suffolk, Queens, and Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the delegations from said counties.

On motion of Mr. Ingersoll,

Resolved, That Senate bill No. 16, be re-committed to the committee on roads and bridges.

Mr. A. Smith gave notice that he would at some future day, ask leave to introduce a bill to furnish to each member of the last constitutional convention, a copy of the reports of said convention.

By unanimous consent,

Mr. L. Harris asked for and obtained leave to bring in a bill entitled, "An act to amend an act entitled, 'An act relating to the lots appropriated for the support of the gospel and schools, in the 20 townships, west of the Unadilla river, in the counties of Chenango, Madison, and Oneida, and for other purposes, passed June 16, 1812,' passed April 13, 1819," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice, Mr. Lesley asked for and obtained leave to bring in a bill entitled, "An act to amend an act entitled, 'An act to amend the charter of the village of Lansingburgh,' passed March 20, 1849," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

Mr. Lesley offered for the consideration of the House, resolutions in the words following, to wit:

Resolved, (If the Senate concur,) 1st. That labor is the primary source of all wealth, and that it is the duty of Congress to legislate for its encouragement, and to use all proper means to maintain and make certain its rewards, by enacting such revenue laws as will provide for the wants of government, and at the same time shield domestic labor from the desperate and disastrous floodings of foreign products.

Resolved, 2d. That in our judgment the tariff law of 1846 is mainly defective by reason of its ad valorem character, experience during the past four years having shewn that such a system is fraught with serious evils; we believe that it was designed to afford a fair measure.

of protection to the industrial interests of the country, whereas in practice it has utterly failed to secure this end : for every change of price has changed the rate of duty, and made it utterly impossible for the manufacturer of any article or fabric in this country, whereof labor constitutes any considerable part of the cost, to sustain himself against the fluctuations and uncertainties consequent upon the system ; we believe this was not the intention of those who framed that law.

Resolved, 3d. That we do not approve of high duties upon foreign goods, but we recommend the substitution of specific for ad valorem rates (in all cases where the same is practicable) upon all such articles as are produced in this country, so adjusted as to keep the labor thus employed fully occupied and fairly compensated, and at the same so balanced as to sustain the home manufacturer up to the point of full production, beyond which foreign goods should be admitted freely ; this would secure the two-fold object of revenue to the government, and give support to the home labor employed in the home manufacture at fair prices, and likewise in any emergency ensure a supply of all articles of the first necessity from native sources.

Resolved, 4th. That our Senators and Representatives in Congress be requested to use all proper means to obtain such a modification of the tariff law of 1846, as will substitute for the existing ad valorem rates a system of specific duties, so far as practicable, which will afford revenue sufficient to meet the wants of government, and at the same time secure a reasonable yet permanent advantage to American over foreign labor.

Mr. Lesley moved that said resolutions be printed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Lesley, and it was determined in the affirmative.

Mr. E. Perry gave notice that he would, at an early day, ask leave to introduce a bill in relation to the payment of services allowed to the justices of the sessions of the county of Albany.

In pursuance of previous notice, Mr. Fitzhugh asked for and obtained leave to introduce a bill entitled, "An act to amend the Revised Statutes in relation to larceny, so as to punish the taking of earth or materials from real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Lyon offered for the consideration of the House, a resolution, in the words following, to wit :

Resolved, That the Commissioners of the Land Office be requested to furnish to this House, for the use of the committee on public lands, any information in their possession in regard to the re-sale of lot No. 8, block 6, in the village of Oneida Castle.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. Maurice gave notice that he would, at an early day, ask leave to amend the act entitled, "An act to establish a free school in district No. 3, in the town of Newtown," passed March 16, 1850."

On motion of Mr. Lyon,

Resolved, That the Clerk of the House is hereby requested to take from the last year's files all petitions and papers relating to Moose river, and enclose them to the committee on the internal affairs of towns and counties of the Senate, for their information.

Mr. Burroughs offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the Clerk of this House immediately procure a copy of the manual, containing the rules of this House, for each of the members thereof, and a like copy for each of the officers and reporters, to be paid for out of the contingent fund of the House.

Debate being had thereon,

Ordered, That said resolution be laid on the table.

On motion of Mr. J. L. Perry,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the Clerk be directed to furnish a copy of the last edition of the Revised Statutes, to each member of this House, the same to be paid out of the contingent fund.

Mr. Robinson offered the following amendment, which was accepted by the mover.

Add after the resolution, the following words: "excepting members of the last Legislature."

Mr. Atwood offered the following amendment:

Add, "upon condition that the same can be procured at the price actually sold for to individuals."

Mr. Burroughs offered the following amendment to the amendment :

Strike out all after the word "Resolved," and insert, "that twenty-five copies of the last edition of the Revised Statutes, be purchased, and placed in the Clerk's library, for the use of the House."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, to amend, and it was determined in the negative.

{ AYES 14 }
{ NOES 91 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

O. Allen	Burroughs	Doyle	Pardee	Swords	
J. Benedict	Coffin	Ferris	Snell	Varnum	
Brayton	Colvin	Gleason	Stillwell		14

Those who voted in the negative are,

H. J. Allen	Chamberlin	Greene	Maurice	Sherman
Anthon	G. Clark	L. Harris	Miles	Shutes
Atwood	J. F. Clark	Hatch	Minier	Sickles
R. Babcock	Cooke	Heath	Moss	A. Smith
J. W. Babcock	Congdon	Hewit	Noble	E. T. Smith
Backhouse	Corser	Higby	Norton	Southwick
Baker	Dennison	Hinds	J. L. Perry	Stevens

Barnes	Dewey	Humphrey	Rider	Stewart
Belknap	Douglass	Ingersoll	Robinson	Stratton
T. H. Benedict	Ellwood	Jayne	Rockwell	Speaker
Bird	Ely	Kinsley	Rouse	A. A. Thompson
Blackstone	Farr	Kellogg	Rowe	O. C. Thompson
Bottom	Fisk	Lagdon	Rumsey	Townsend
Bradley	Fitzhugh	Lawyer	W. Russell	Tuthill
Briggs	Fordyce	Leggett	W. F. Russell	Ward
Bushnell	French	Lyon	Ryan	Welden
Cady	Gilbert	McLouth	Severance	Wooster
Campbell	W. S. Gregory	Macomber	Shall	Wright
Carrington				

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Mr. Briggs offered the following amendment, which was accepted by Mr. Perry:

Strike out all after "resolved," and insert, "that the Clerk be directed to furnish a copy of the last edition of the Revised Statutes, to each member of this House desiring such Statutes, excepting such as have heretofore received such copies, as members of the Legislature, and that the same be paid for out of the contingent fund."

Mr. J. Benedict moved to amend by inserting after the words, "such Statutes," "and who shall state such desire to the Clerk, within three days from this date," which amendment was accepted by Mr. Perry.

Mr. Atwood moved to amend, by adding, "upon condition that the same can be procured at the price said Revised Statutes are usually sold for to individuals."

Mr. A. A. Thompson moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then announced the question to be on the adoption of the original resolution, as amended, as follows:

Resolved, That the Clerk be directed to furnish a copy of the last edition of the Revised Statutes, to each member of this House, desiring such Statutes, and who shall state such desire to the Clerk, within three days from this date, excepting such as have heretofore received such copies, as members of the Legislature, and that the same be paid for out of the contingent fund.

Mr. Speaker put the question whether the House would agree to the said resolution, as amended, and it was determined in the affirmative.

{ AYES 79 }
{ NOES 33 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	Hatch	Miles	Sickles
Atwood	G. Clark	Heath	Minier	A. Smith
R. Babcock	Cooke	Hewit	Noble	E. T. Smith
J. W. Babcock	Congdon	Higby	Norton	Snell
Barkhouse	Corser	Hinds	Pardee	Southwick

Baker	Dennison	Horton	J. L. Perry	Stevens
Barnes	Dewey	Humphrey	Rider	Stewart
T. H. Benedict	Douglass	Ingersoll	Robinson	Stratton
Blackstone	Ellwood	Kinsley	Rockwell	Speaker
Bottum	Farr	Lake	Rouse	A. A. Thompson
Bradley	Fisk	Langdon	Rowe	O. C. Thompson
Briggs	French	Lawyer	W. Russell	Townsend
Bushnell	Gilbert	Leggett	Ryan	Tuthill
Cady	W. S. Gregory	Lyon	Severance	Ward
Campbell	Greene	Macomber	Sherman	Wright
Carrington	L. Harris	Maurice	Shaltes	79

Those who voted in the negative are,

O. Allen	J. F. Clark	Ferris	Lesley	Swords
Anthon	Coffin	Fordyce	Moss	Varnum
Belknap	Colvin	Gleason	Rumsey	Wakeman
J. Benedict	Davis	H. Harris	W. F. Russell	Welden
Bird	Doyle	Hoppin	Shall	Whiteside
Brayton	Elderkin	Kellogg	Stilwell	Wooster
Burrongs	Ely	Le Roy		33

Mr. J. Benedict offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the Clerk report to this House, on the 12th instant, the names of those members who have taken a copy of the Revised Statutes, under and by virtue of the resolution just passed, and the amount paid.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. Anthon gave notice that he would, at some future day, ask leave to introduce a bill to incorporate the female home and school of industry, a benevolent society in the city in the city of New-York.

In pursuance of previous notice, Mr. Anthon asked for and obtained leave to introduce a bill entitled, "An act to incorporate the Female Academy of the Sacred Heart, in the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on colleges, academies and common schools.

Leave of absence was granted to Messrs. A. A. Gregory, Bowne, Fordyce, Miles, Carrington, Lake and Wheeler, for one week ; Mr. Feller, four days ; Mr. Stevens, three days.

On motion of Mr Cady,

Resolved, That the petitions, memorials, communications and other papers relating to a modification of the laws regulating the rate of interest on contracts, presented to the House at the last session, and in the possession of the Clerk, be taken from the files and referred to the select committee on that subject.

Resolved, That the Clerk furnish to each of the members and officers of this House a port folio, provided however that the cost of each port folio shall not exceed one dollar, and that the same be paid for out of the contingent fund.

Debate was had thereon,

Ordered, That said resolution be laid upon the table.

In pursuance of previous notice, Mr. H. J. Allen asked for and ob-

tained leave to bring in a bill entitled, "An act to regulate the rates of wharfage on lighters in the cities of New-York and Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Ely asked for and obtained leave to bring in a bill entitled, "An act requiring compensation for personal injury," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. A. A. Thompson gave notice that he would, at an early day, ask leave to introduce a bill authorising the Canal Commissioners of this State to build a bridge across the Erie canal in the village of Cohoes.

In pursuance of previous notice, Mr. H. Harris asked for and obtained leave to bring in a bill entitled, "An act to preserve the purity of certain streams used to supply the city of Albany with water," which was read the first time and by unanimous consent was also read the second time, and referred to a select committee consisting of the Albany city delegation.

On motion of Mr. Snell,

Resolved, That the petition and papers of David Lipe and John Keller, relative to a claim against this State, be taken from the files of this House and referred to the committee on grievances.

On motion of Mr. Snell,

Resolved, That the petition and papers of Charity Van Alstyne, relative to a claim against this State, be taken from the files of this House and referred to the committee on grievances.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to authorise a part of the records of the county of Erie to be transcribed and deposited in the clerk's office of the county of Niagara."

"An act to amend an act entitled, 'An act to incorporate the mutual life insurance company of New-York,' passed April 12, 1842."

The Senate bill entitled, "An act in relation to railroad corporations."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Lake, from said committee, reported that the committee had gone through said bills, and agreed to the same with amendments to two last mentioned bills, which report was agreed to.

Ordered, That the said bills be engrossed for a third reading.

On motion of Mr. J. F. Clark,

The House, at 2 o'clock, adjourned.

THURSDAY, FEBRUARY 6, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Frazer.

The minutes of yesterday were read, when

Mr. Bradley moved that they be amended, so as to have his vote recorded in the affirmative, on the resolution of Mr. J. L. Perry, to furnish members with copies of the Revised Statutes.

And the minutes were ordered to be so amended.

Mr. Hewit presented the petition of Calvin Durand, and other citizens of Clintonville, Clinton co., for a law to prohibit the sale of intoxicating drinks, which was read and referred to the select committee on that subject.

Mr. Gleason presented the petition of inhabitants of Delhi, Delaware co., on the same subject, which was read and referred to the select committee on that subject.

Mr. Gleason presented two several petitions of citizens of Delaware county, for an act to stay the collection of rents on manorial lands, in certain cases, which was read and referred to the select committee on that subject.

Mr. Stewart presented the petition of inhabitants of Fulton county praying for an amend of the present excise law, which was read and referred to the select committee on that subject.

Mr. Rowe presented the petition of inhabitants of Alexander, Genesee county, for the immediate and unconditional repeal of the present school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Cooke presented four several remonstrances of inhabitants of Durham, Greene county, against the erection of a new county from parts of Greene, Delaware, and Schoharie counties, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Bushnell presented the petition of inhabitants of Orleans, Jefferson county, for a law authorising the levying of a tax of \$500, on said town, for Orleans academy, which was read and referred to the committee on colleges, academies and common schools.

Mr. Bushnell presented two several petitions of inhabitants of Jefferson county, for a law to equalize taxation, which was read and referred to the select committee on that subject.

Mr. Bushnell presented the petition of R. T. Jerome, and others, of Jefferson county, for a law giving to all persons claimed as fugitive slaves, the right of trial by jury, providing them with counsel, at the expense of the State, and a right of appeal to the highest legal tribunal of the State, which was read and referred to the committee on the judiciary.

Mr. Macomber presented a petition for the incorporation of a col-

legiate institute, in the city of New-York, which was read and referred to the committee on colleges, academies and common schools.

Mr. H. J. Allen presented the petition of citizens of New-York, and Brooklyn, engaged in commerce, for the passage of the bill relative to pilots now before the House, which was read and referred to the committee on commerce and navigation.

Mr. Le Roy presented the petition of inhabitants of Oneida county for a law to prevent fishing in Oneida lake, with seines or nets, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Rumsey presented the remonstrance of citizens of Buttermilk Falls, Orange county, against the renewal of a ferry charter, to John Garrison, which was read and referred to the committee on commerce and navigation.

Mr. Coffin presented the petition of 80 inhabitants of Edmeston, Otsego co., for a law to prohibit the traffic in intoxicating drinks as a beverage, which was read and referred to the select committee on that subject.

Mr. Maurice presented the petition of inhabitants of Astoria, Queens co., for a law authorising the trustees of Astoria, to grant tavern licenses, which was read and referred to the committee on the judiciary.

Mr. presented the petition and remonstrance of S. Foot, and 86 others, of St. Lawrence county, for an amendment of the present militia law, which was read and referred to the committee on militia and public defence.

Mr. Leggett presented the petition of inhabitants of Clifton Park, Saratoga co., for the repeal of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. Southwick presented the petition of inhabitants of Seneca co., for repeal of the free school law, which was read and referred to the committee on colleges, academies and common schools.

Mr. J. L. Perry presented the petition of J. Willard, and others, of Saratoga county, praying that a copy of Webster's dictionary, be furnished at the expense of the State, to each school district, which was read and referred to the committee on colleges, academies, and common schools.

Mr. Southwick presented the petition of A. Miller, and 44 others, of Seneca co., for repeal of the free school law, to abolish the State Normal school, and district school journal, and office of town superintendent, and to change the school system generally, which was read and referred to the committee on colleges, academies and common schools.

Mr. Ferris presented the petition of inhabitants of Danby, Tompkins co., that each school district may be furnished with a copy of Webster's dictionary, which was read and referred to the committee on colleges, academies and common schools.

Mr. Ferris presented the petition of 65 inhabitants of Tompkins

co., for the renewal of the charter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. Bottum presented 20 several remonstrances of inhabitants of Wayne co., against any division of said county, which were read and referred to the committee on the erection and division of towns and counties.

Mr. W. S. Gregory presented the petition of inhabitants of the counties of New-York, and Westchester, for an extension of the time for completing the Harlem river canal, which was read and referred to the select committee consisting of the New-York and Westchester delegations.

Mr. Higby presented the petition of officers and members of the young men's lyceum of Prattsburgh, Steuben co., for an appropriation to increase their library, which was read and referred to the committee on ways and means.

Mr. Hatch presented the petition of millers and commission merchants of Albany, for the repeal of the law establishing the bushel of 40 quarts, in measuring bran and shorts, which was read and referred to the committee on trade and manufactures.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

“An act to authorise a part of the records of the county of Erie to be transcribed and deposited in the clerk's office of the county of Niagara.”

“An act to amend the act entitled, ‘An act to incorporate the Mutual Life insurance company of New-York, passed April, 12, 1843.’”

Ordered, That said bills be read the third time.

Mr. Speaker appointed as additional messengers to the Assembly, Alfred Worden and Thomas Healey.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, “An act to elect a police justice in the village of Rome, Oneida co.,” reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. O. Allen, from the committee on canals, to which was referred the petition of sundry citizens of Lyons, Wayne co., for a release of land formerly occupied by the Erie canal, to the original owners thereof, reported the following resolution, to wit:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. O. Allen, from the committee on canals, to which was referred the petition of J. W. Briggs and others, of Macedon, Wayne co., asking for payment of damages caused by water from the Erie canal, reported that they had had the same under consideration and asked to be discharged from the further consideration of the subject, on the ground that the Canal Commissioners have full power in the premises.

Mr. Speaker put the question whether the House would agree to the said report, and it was determined in the affirmative.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to amend the act entitled, 'An act to amend the charter of the village of Lansingburgh,'" reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to authorise the city of Brooklyn to create a loan for the purpose of paying existing liabilities to the first of September next," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the bill from the Senate entitled, "An act to amend the charter of the city of Schenectady," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Wakeman, from the committee on commerce and navigation, to which was referred the bill entitled, "An act to amend an act entitled, 'An act concerning passengers arriving at the ports of entry and landing in this State, and to repeal the act amendatory thereof,'" reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which were referred sundry petitions and bills relating to the common schools of this State, submitted a majority report in writing, accompanied by a bill, which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Burroughs, as a minority member of said committee, made a verbal report, and asked and obtained leave to bring in a bill entitled, "An act to provide for the support of common schools," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. T. H. Benedict moved that the two last mentioned bills be made a special order for Tuesday, 25th inst.

Mr. Burroughs moved to amend the motion of Mr. T. H. Benedict by striking out "for Tuesday, 25th inst.," and inserting "for Thursday next, at 12 o'clock."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, to amend, and it was determined in the negative.

Mr. Burroughs then moved to strike out the same words, and insert "one week from Tuesday next."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

Mr. Burroughs then moved to strike out the same words, and insert "one week from next Thursday."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

Mr. Burroughs then moved to strike out the same words, and insert "one week from Friday next."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

{ AYES 49 }
{ NOES 52 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Coffin	L. Harris	Noble	Snell
Anthon	Colvin	Hatch	Rider	Southwick
Atwood	Congdon	Higby	Robinson	Stewart
R. Babcock	Davis	Hinds	Rockwell	Stilwell
Barnes	Dennison	Horton	Rumsey	Stratton
Belknap	Elderkin	Kinsley	W. Russell	O. C. Thompson
Bottum	Farr	Lawyer	W. F. Russell	A. A. Thompson
Bradley	Ferris	Leggett	Shall	Wooster
Burroughs	French	Le Roy	Sickles	Wright
J. F. Clark	Gleason	Lewis	E. T. Smith	49

Those who voted in the negative are,

O. Allen	Cady	W. S. Gregory	McLouth	Ryan
J. W. Babcock	Campbell	Greene	Macomber	A. Smith
Backhouse	Chamberlin	H. Harris	Maurice	Speaker
Baker	G. Clark	Heath	Moss	Townsend
J. Benedict	Cooke	Humphrey	Norton	Tuthill
T. H. Benedict	Corser	Ingersoll	Pardee	Varnum
Bird	Dewey	Jayne	J. L. Perry	Wakeman
Blackstone	Douglass	Kellogg	Pool	Ward
Brayton	Fisk	Langdon	Rouse	Welden
Briggs	Fitzbugh	Lesley	Rowe	Whiteside
Bushnell	Gilbert			52

Mr. Robinson moved to amend the motion of Mr. T. H. Benedict, by striking out the words "for Tuesday next," and inserting "for the 20th inst."

Mr. Burroughs moved to amend the amendment of Mr. Robinson, by striking out "20th inst.," and inserting "17th inst., at 12 o'clock."

Mr. Briggs called for the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then stated the question to be, whether the House would agree to the motion of Mr. T. H. Benedict, making said bills a special order for the 25th instant.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. T. H. Benedict, and it was determined in the negative, two thirds of the members present not voting in the affirmative.

{ AYES 56 }
{ NOES 37 }

Those who voted in the affirmative are,

H. J. Allen	Brayton	Ely	Lesley	E. T. Smith
O. Allen	Briggs	Fisk	McLouth	Southwick
R. Babcock	Bushnell	Fitzhugh	Macomber	Swords
J. W. Babcock	Campbell	Gilbert	Maurice	Speaker
Backhouse	Chamberlin	W. S. Gregory	Moss	Townsend
Baker	G. Clark	Greene	Pardee	Varnum
J. Benedict	Colvin	H. Harris	J. L. Perry	Wakeman
T. H. Benedict	Corser	Heath	Rouse	Ward
Bird	Davis	Hewit	Rowe	Welden
Blackstone	Dewey	Kellogg	Sickles	Whiteside
Bottum	Douglass	Langdon	A. Smith	Yeomans
Bradley				

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Those who voted in the negative are,

Anthoa	Elderkin	Lawyer	Rockwell	Stilwell
Barnes	Ferris	Leggett	Rumsey	Stratton
Belknap	Gleason	Le Roy	W. Russel	A. A. Thompson
Burroughs	Hatch	Lewis	W. F. Russell	O. C. Thompson
J. F. Clark	Hinds	Noble	Ryan	Tuthill
Coffin	Horton	E. Perry	Shall	Wooster
Congdon	Jayne	Pool	Stewart	Wright
Dennison	Kinsley			

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Mr. Ward, from the committee on charitable and religious societies, to which was referred the petition of George Carnegie, president, in behalf of the Thistle benevolent association, of the city of New-York, praying for an act of incorporation, reported, and asked and obtained leave to bring in a bill entitled, "An act to incorporate the Thistle benevolent association of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. H. Harris, from the select committee consisting of Albany city delegation, to which was referred the bill entitled, "An act to preserve the purity of certain streams used to supply the city of Albany with water," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Jayne, from the select committee, to which was referred the bill entitled, "An act to extend the time for the collection of taxes in the town of Italy, in the county of Yates," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Mr. Jayne asked unanimous consent that the House now go into committee of the whole on said bill, objection being made, the bill was referred to the committee of the whole to take its place on the general orders.

The bill entitled, "An act to authorise a part of the records of the county of Erie to be transcribed and deposited in the clerk's office of the county of Niagara," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Coffin	Greene	Macomber	Snell
O. Allen	Colvin	H. Harris	Moss	Southwick
Antho	Congdon	Hatch	Noble	Stewart
R. Babcock	Corser	Heath	Pardee	Stilwell
J. W. Babcock	Davis	Higby	E. Perry	Swords
Barnes	Dewey	Hinds	J. L. Perry	Speaker
Belknap	Douglass	Horton	Pool	O. C. Thompson
J. Benedict	Elderkin	Ingersoll	Rockwell	Townsend
Blackstone	Ely	Jayne	Rowe	Tuthill
Bottum	Ferri	Kellogg	W. Russell	Varnum
Bradley	Fisk	Langdon	W. F. Russell	Wakeman
Brayton	Fitzhugh	Lawyer	Ryan	Welden
Briggs	French	Leggett	Shall	Whiteside
Burroughs	Gilbert	Le Roy	Sickles	Wooster
Bushnell	Gleason	Lesley	A. Smith	Wright
Chamberlin	W. S. Gregory	McLouth	E. T. Smith	Yeomans
G. Clark				

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend the act entitled, 'An act to incorporate the Mutual Life insurance company of New-York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 76 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	G. Clark	H. Harris	McLouth	E. T. Smith
Antho	J. F. Clark	L. Harris	Maurice	Snell

Atwood	Colvin	Hatch	Noble	Southwick
R. Babcock	Corser	Higby	Pardee	Stewart
J. W. Babcock	Dennison	Hinds	E. Perry	Stratton
Baker	Dewey	Horton	J. L. Perry	O. C. Thompson
Barnes	Douglass	Ingersoll	Robinson	Townsend
Belknap	Farr	Jayne	Rockwell	Tuthill
J. Benediot	Ferris	Kinsley	Rouse	Varnum
Blackstone	Fisk	Kellogg	Rowe	Wakeman
Bottom	Fitzhugh	Langdon	Rumsey	Ward
Bradley	Gilbert	Lawyer	W. Russell	Welden
Brayton	Gleason	Leggett	Ryan	Whiteside
Briggs	W. S. Gregory	Le Roy	Shall	Wooster
Bushnell	Greene	Lesley	A. Smith	Wright
Chamberlin				

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The Senate bill entitled, "An act in relation to railroad corporations," coming up for its third reading,

Mr. Elderkin asked unanimous consent to offer an amendment to the bill.

Mr. Varnum moved to recommit the bill to the committee of the whole, in order to correct an error in the proceedings of the committee of the whole heretofore had relative to said bill.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Varnum, and it was determined in the affirmative.

A message was received from the Governor, announcing that he had approved and signed the bill entitled, "An act authorising the Delaware plank road company to borrow money."

Mr. Speaker announced the appointment of Mr. Rowe as a member pro tempore of the committee on indian affairs, in the place of Mr. Dougherty, who is absent.

Leave of absence was granted, on motion, to Mr. Fisk for five days, Messrs. Doyle, Rouse, Hoppin, Underwood and Noble, each for one week.

A message from the Senate was received and read, informing that they had passed without amendment, the bills entitled, as follows:

"An act to change the time of holding the annual town meeting of the town of Seward, Schoharie co., for the year 1851."

"An act to authorise the commissioners of highways of the town of Lancaster to borrow money."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bill entitled as follows:

"An act to authorise the Union plank road company of the town of Kingston to establish and regulate tolls upon their roads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Le Roy gave notice that he would, at an early day, ask leave to introduce a bill for the relief of Monroe academy.

In pursuance of previous notice, Mr. Elderkin asked for and obtained leave to introduce a bill entitled, "An act to authorise the

Northern railroad co. to take stock in a railroad to Potsdam village or to construct the same as a branch of their road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

On motion of Mr. Elderkin,

Resolved, That the standing committee on state prisons be authorised to proceed to Sing Sing, to examine into the propriety and necessity of making appropriations to build a wall around said prison and making other proposed improvements, and that one of the members from Westchester co. be appointed by the Speaker to accompany them.

Mr. Robinson offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That ten times the usual number of the report and bill in relation to common schools be printed for the use of the members.

Debate being had thereon,

Ordered, That said resolution be laid on the table.

On motion of Mr. O. Allen,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That a committee be appointed on the part of this House to confer with a committee on the Senate, on the subject of joint rules.

Mr. LeRoy moved to amend the resolution, by striking out all after the word "resolved," and inserting as follows:

"(If the Senate concur,) That the joint rules of the last Senate and Assembly, be, and the same are hereby adopted as the joint rules of this session."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Le Roy, to amend, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. Burroughs,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the Clerk of this House immediately procure a copy of the manual, containing the rules of this House, for each of the members thereof, and a like copy for each of the officers and reporters, to be paid for out of the contingent fund of this House.

Mr. O. Allen moved to amend the resolution, by striking out all after "resolved," and insert as follows:

"That the Clerk of this House procure a copy of the manual, for each of the members and officers of this House, as soon as it is determined whether we are to have joint rules."

Mr. A. A. Thompson moved to amend the amendment, by adding after the word "officers," the words "and reporters," which amendment was accepted by Mr. O. Allen.

Mr. Moss moved to amend the amendment, by striking out the word "Clerk," and inserting "Secretary of the State."

Mr. A. Smith moved to lay the resolution and amendments on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. A. Smith, and it was determined in the affirmative.

Mr. Pardee moved to reconsider the vote taken on the resolution of Mr. J. L. Perry, to supply members of this House with copies of the Revised Statutes, and that this motion lie on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Pardee, and it was determined in the affirmative.

On motion of Mr. Lyon,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the Commissioners of the Land Office be requested to furnish to this House, for the use of the committee on public lands, any information in their possession in regard to the re-sale of lot No. 8, block 6, in the village of Oneida Castle.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. A. A. Thompson offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That so much of the resolution passed yesterday, as excepts members of previous Legislatures from receiving the Revised Statutes be rescinded, and that the resolution be made to apply to all the members, officers and reporters of this House.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

On motion of Mr. Lesley,

Resolved, That the bill entitled, "An act in relation to railroad corporations," be taken from the committee of the whole, and referred to the committee on railroads, to report complete.

Mr. Speaker announced the appointment of the following committee of conference to confer with a committee of the Senate, on joint rules: Messrs. O. Allen, Varnum, Burroughs, Swords, and Elderkin.

On motion of Mr. Heath,

Resolved, That the petition and papers of John E. Van Epps, relative to a claim against this State, be taken from the files of this House, and referred to the committee on grievances.

Mr. Macomber gave notice that he would at some future day, ask leave to introduce a bill to incorporate the collegiate institute, in the city of New-York.

On motion of Mr. Pardee,

The House at two o'clock, adjourned.

FRIDAY, FEBRUARY 7, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Daly.

The minutes of yesterday were read and approved,

Mr. Bird presented the petition of the Buffalo and Black Rock railroad company, for a law authorising the appraisal of alleged canal damages, which was read and referred to the committee on canals.

Mr. J. Benedict presented the petition of inhabitants of Oneida and Herkimer counties, for a stay of collection of rents, until certain now pending suits are determined, which was read and referred to the select committee on that subject.

Mr. Heath presented a like petition of 79 inhabitants of Montgomery county, which was read and referred to the select committee on that subject.

Mr. Rockwell presented six several petitions of Schoharie county, of a like nature, which were read and referred to the select committee on that subject.

Mr. Kinsley presented the petition of inhabitants of Greene county, for a special act authorising the payment of the public school moneys, to the county treasurer of said county, which was read and referred to the committee on colleges, academies and common schools.

Mr. Bushnell presented the petition of inhabitants of Jefferson co., for the repeal of the law making death the penalty for certain crimes, and substituting imprisonment for life, at hard labor, which was read and referred to the select committee on that subject.

Mr. Burroughs presented the petition of 40 citizens of Orleans county, that each school district may be supplied with a copy of Webster's dictionary, which was read and referred to the committee on colleges, academies and common schools.

Mr. Hatch presented two several remonstrances, of inhabitants of Oswego county, against the diversion of the waters of the Oswego river to the Sodus canal, which were read and referred to the committee on canals.

Mr. Chamberlin presented the petition of 60 inhabitants of Caledonia, Livingston county, for repeal of the present free school law, and for the abolition of the Normal school, and district school journal, and office of town superintendent, which was read and referred to the committee on colleges, academies and common schools.

Mr. Burroughs presented the petition of 80 citizens of Monroe co., for repeal of free school law, and a general State tax, for the support of common schools, and against making population a basis of taxation, which was read and referred to the committee of the whole on that subject.

Mr. Kellogg presented 3 several petitions of medical men, students, and others of Cortland county, for a law to prohibit the sale of in-

toxicating drinks, which was read and referred to the select committee on that subject.

Mr. Ferris presented the petition of citizens of Tioga county, on the same subject, which was read and referred to the select committee on that subject.

Mr. Atwood presented the petition of 103 inhabitants of Alden, Erie co., for a law so amending the act relative to the Cayuga creek road, as to allow a part of said road to be located on another public highway, which was read and referred to the committee of the whole when on that bill.

Mr. Welden presented the petition of D. Anthon, and 138 others of Essex co., for the repeal of the law taxing the inhabitants for a road from the State road to Port Henry, which was read and referred to the committee on grievances.

Mr. E. Perry presented the petition of the mutual insurance company, of Albany, for an amendment of their charter, which was read and referred to a select committee consisting of the Albany delegation.

Mr. Chamberlin presented the petition of trustees of school district No. 10, in Livonia, Livingston county, for a law authorising them to raise \$103.63, by tax for teachers' wages, &c., which was read and referred to the committee on colleges, academies and common schools.

Mr. Bottum presented 10 several remonstrances of inhabitants of Wayne co., against any division of said county, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Burroughs presented the petition of inhabitants of Medina, Orleans county, for a law enlarging the powers and duties of police constable, of said village, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Gleason presented the petition and remonstrance of inhabitants of Delaware county, for and against the erection of a new county from parts of Delaware, Greene, and Schoharie counties, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Ferris presented the remonstrance of G. J., & F. H. Pumpelly, against the proposed extension of the boundaries of Owego, and the amendment of its charter, which was read and referred to the committee of the whole when on the bill on that subject.

Mr. Wright presented the petition of the Unadilla bridge company for an extension of their charter, which was read and referred to the committee on roads and bridges.

Mr. Stilwell presented the petition of C. Anthony, and 38 other citizens of St. Lawrence county, for an amendment of the plank road law, which was read and referred to the committee on roads and bridges.

Mr. Lawyer presented a remonstrance against the division of Schoharie county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. O. Allen presented the petition of A. Patten & Co., praying for a law authorising the appraisal and payment of certain canal damages, which was read and referred to the committee on claims.

Mr. O. Allen, from the committee on canals, to which was referred the petition of sundry citizens of the towns of Clay and Schroepel, for a guard and draw in the bridge over the Oneida river, asked and obtained leave to bring in a bill entitled, "An act to provide for the repayment of certain moneys to the town of Clay, in the county of Onondaga, and Schroepel, in the county of Oswego," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of sundry citizens of Newton, in Queens co., for a jail in that town, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the supervisor and justices of the peace of the town of Newton, Queens co., to designate two places in that town for the confinement of prisoners," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act requiring compensation for personal injury," reported that the committee had examined said bill, and had come to the conclusion that the same ought not to be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act declaratory of the act to authorise the recording of wills of real estate, and of exemplifications of judgment records and decrees in partition suits, and for other purposes, passed May 11, 1846," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act in relation to mortgages taken by the commissioners for loaning certain moneys of the United States," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend the Revised Statutes in relation to larceny," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Baker, from the committee on the incorporation of cities and

villages, to which was referred the bill entitled, "An act to authorise the common council of the city of Oswego to levy a tax for building a fire proof county clerk's office in said county," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the bill from the Senate entitled, "An act to authorise the Union plank road company of the town of Kingston to establish gates and regulate tolls upon their roads," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Sherman, from the committee on claims, to which was referred the petition of George Kinsella, for canal damages, reported adversely, and asked to be discharged from the further consideration of the same, which report was agreed to.

Mr. Sherman, from the committee on claims, to which was referred the petition of John G. Wheelock, for relief from a decision of the Canal Board, reported the following resolution, to wit :

Resolved, That the committee on claims be discharged from the further consideration of this subject, and that it be referred to the committee on grievances.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Sherman, from the committee on claims, to which was referred the petition of the trustees of Genesee college, for relief, asked to be discharged, and that the same be referred to the committee on colleges, academies and common schools, which report was agreed to.

Mr. Backhouse, from the committee on grievances, to which was referred the petition of the inhabitants of the town of Vernon, for relief, reported adversely.

On motion of Mr. J. Benedict,

Ordered, That said report be laid upon the table.

Mr. Backhouse, from the committee on grievances, to which was referred the petition of David Rice for relief, reported in writing, and asked and obtained leave to bring in a bill entitled, "An act for the relief of the estate of David Rice, late of the town of Fort Ann, deceased," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bird, from the committee on ways and means, reported a bill entitled, "An act making appropriations in part for the expenses of the government for the fiscal year commencing October 1, 1850, and for other purposes," which was read the first time, and by unanimous

consent was also read the second time, and committed to the committee of the whole.

Mr. Ward, from the committee on charitable and religious societies, to which was referred the petition of the managers of the association for the benefit of colored orphans, for an appropriation for that institution, reported in writing, and asked and obtained leave to bring in a bill entitled, "An act for the relief of the association for the benefit of colored orphans," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

A communication was received from the Commissioners of the Canal Office, covering a written report, on the matter of the petition of William E. Worden and Morgan L. Worden.

(See Doc. No. 53.)

Also, the annual report of the State Engineer and Surveyor, on the canals of the State of New-York.

Mr. O. Allen offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That ten times the usual number of copies of the annual report of the State Engineer and Surveyor, on the canals of the State of New-York, be printed for the use of the Legislature and five hundred copies for the use of the Department.

Ordered, That the said resolution be referred to the committee on printing.

In pursuance of previous notice, Mr. E. Perry asked for and obtained leave to bring in a bill entitled, "An act to provide for the compensation of justices of sessions in and for the county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. E. Perry asked for and obtained leave to introduce a bill entitled, "An act to amend an act to establish a court of special sessions in for the county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Le Roy asked for and obtained leave to bring in a bill entitled, "An act for the relief of Monroe academy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

In pursuance of previous notice, Mr. Varnum asked for and obtained leave to introduce a bill entitled, "An act to amend an act in relation to the assessment and collection of taxes in the city of New-York, and to amend the several acts in relation thereto, passed March 20, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the New-York delegation.

In pursuance of previous notice, Mr. E. Perry asked for and obtained leave to introduce a bill entitled, "An act giving criminal courts

in the county of Albany, power to send certain criminals to the Albany county penitentiary, instead of to a State prison," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wright gave notice that he would at an early day, ask leave to introduce a bill to confirm the official acts of Torry J. Luce, a justice of the peace.

Mr. Wright gave notice that he would at an early day, ask leave to introduce a bill for the extension of the charter of the Unidalla bridge company.

In pursuance of previous notice, Mr. Maurice asked for and obtained leave to bring in a bill entitled, "An act to amend an act to establish a free school in district No. 3, in the town of Newtown," which was read the first time and by unanimous consent was also read a second time, and referred to the committee on colleges, academies and common schools.

In pursuance of previous notice, Mr. J. Benedict asked for and obtained leave to bring in a bill entitled, "An act to incorporate the Bainbridge and Lanesboro steamboat navigation company," which was read the first time and by unanimous consent was also read the second time, and referred to a select committee consisting of the Chenango and Broome delegations.

In pursuance of previous notice, Mr. Hatch asked for and obtained leave to introduce a bill entitled, "An act to incorporate the St. Patrick's benevolent society, of the city of Oswego," which was read the first time and by unanimous consent was also read a second time and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. Higby asked for and obtained leave to bring in a bill entitled, "An act to levy a tax for the benefit of the common schools of the State," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

In pursuance of previous notice, Mr. Macomber asked for and obtained leave to introduce a bill entitled, "An act to incorporate the collegiate institute of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

Mr. W. F. Russell gave notice that he would at an early day ask leave to introduce a bill to change the boundary line of the village of Ulster.

On motion of Mr. Robinson,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That ten times the usual number of the report and bill in relation to common schools be printed for the use of the members.

Mr. Burroughs moved to amend, by including the report and bill

from the minority of the same committee, which was accepted by the mover.

Mr. Baker moved to print 15 times the usual number, which was accepted.

Ordered, That the said resolution be referred to the committee on printing.

In pursuance of previous notice, Mr. Wooster asked for and obtained leave to introduce a bill entitled, "An act to amend an act entitled, 'An act to amend the act in relation to the judiciary,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Burroughs moved that the two several bills reported yesterday, by the committee on colleges, academies and common schools, relative to the common schools of this State, be made a special order for the 17th inst., at 12 o'clock.

Mr. Baker moved to amend the motion of Mr. Burroughs, by striking out "17th," and inserting "25th."

Mr. Burroughs moved to amend his own motion, by substituting the "18th," for the "17th."

Mr. Ferris moved to amend the amendment of Mr. Baker, by striking out "25th," and inserting, "20th."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Ferris, to amend, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, to amend his own motion, and it was determined in the negative.

Mr. Elderkin moved to amend the amendment of Mr. Baker, by substituting "19th," for "25th."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, to amend, and it was determined in the negative.

Mr. Elderkin then moved to amend the amendment, by substituting "21st," for "25th."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the negative, two thirds of the members present not voting in the affirmative.

{ AYES 48 }
{ NOES 35 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Atwood	Congdon	Higby	E. Perry	E. T. Smith
Barnes	Elderkin	Horton	Pool	Snell
Belknap	Farr	Jayne	Rider	Southwick
T. H. Benedict	Ferris	Kinsley	Robinson	Stewart
Bradley	French	Kellogg	Rockwell	Stilwell

Burroughs	Gilbert	Langdon	Rowe	Stratton
Bushnell	Gleason	Lawyer	W. Russell	Speaker
J. F. Clark	Graham	Leggett	W. F. Russell	O. C. Thompson
Coffin	L. Harris	Le Roy	Sherman	Wooster
Calvin	Hatch	Lewis		48

Those who voted in the negative are,

O. Allen	Briggs	Douglass	Lesley	Sickles
Backhouse	Campbell	Ellwood	McLouth	A. Smith
Baker	Chamberlin	Fitzhugh	Macomber	Townsend
J. Benedict	G. Clark	H. Harris	Maurice	Varnum
Bird	Cooke	Hewit	Moss	Ward
Blackstone	Corser	Humphrey	Pardee	Welden
Brayton	Dewey	Ingersoll	J. L. Perry	Yeomans
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Mr. Burroughs moved to lay the motion and amendment on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

Mr. A. Smith moved to reconsider the vote on Mr. Elderkin's amendment, to substitute the "21st," for the "25th."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. A. Smith, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said amendment, as amended, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, as amended, and it was determined in the affirmative.

On motion of Mr. Chamberlin,

Resolved, That the petitions and papers relating to Genesee College, be taken from the files of the House and referred to the committee on colleges, academies and common schools.

Mr. Chamberlin gave notice that he would, at some future day, ask leave to introduce a bill for the relief of the trustees of school district No. 10, Livonia, Livingston co., N. Y.

Leave of absence was granted to Mr. Rumsey for four days, Messrs. J. W. Babcock and Minier, one week, and Mr. Shall, four days.

On motion of Mr. W. F. Russell,

Resolved, That the bill presented by Mr. Higby, levying a tax on the taxable inhabitants of the State for the support of common schools, and referred to the committee of the whole this morning, be printed.

On motion of Mr. Colvin,

Resolved, That a respectful message be sent to the Senate, requesting the petition and papers relating to the claim of Augustus Stockwell.

Mr. H. Harris gave notice that he would, at an early day, ask leave to introduce a bill to amend the Revised Statutes concerning taxes and the duties of assessors.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to incorporate the Central city savings institution."

"An act to incorporate the New-York savings bank."

"An act to incorporate the Niagara county savings bank."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Maurice, from said committee, reported that the committee had gone through said two first mentioned bills, and agreed to the same with amendments, which report was agreed to.

Ordered, That the said bills be engrossed for a third reading.

Mr. Maurice, from said committee, reported progress on said last mentioned bill, and asked and obtained leave to sit again.

The House then resolved itself into a committee of the whole on the bills entitled, as follows, to wit:

"An act to authorise the Buffalo water works company to convey certain lands in the county of Erie."

"An act to authorise the city of Brooklyn to create a loan for the purpose of paying existing liabilities and current expenses to the first of Sept. next."

"An act for the relief of the devisees of William Crowther."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. E. Perry, from said committee, reported that the committee had gone through said bills, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bills be engrossed for a third reading.

On motion of Mr. A. Smith,

Resolved, That when this House adjourns it will adjourn to Monday next, at 11 o'clock, A. M.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act regulating the appraisal of church pews."

"An act to fix the salary of the clerk of the Canal Appraisers."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. H. J. Allen, from said committee, reported that the committee had gone through said bills, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bills be engrossed for a third reading.

A message from the Senate was received and read, informing that they had passed, without amendment, the bills entitled as follows:

"An act to extend the operation and effect of the act passed Feb. 17, 1848, entitled, 'An act to authorise the formation of companies for mining, manufacturing, mechanical or chemical purposes.'"

"An act referring the claim of Daniel Cornell, and Ransom Clark, to the electors of the town of Guilford."

Ordered, That the Clerk deliver said bills to the Governor.

A message was received from the Senate, informing that they had concurred in the resolution of the Assembly, that a committee of conference be appointed, to confer with the Senate, on the subject of joint rules; and that Mr. Stanton, Morgan, and Robinson, be of such committee on the part of the Senate.

The House then resolved itself into a committee of the whole on the bill entitled, as follows, to wit:

"An act to authorise the Albany and Schenectady railroad company to borrow money, to pay outstanding bonds, and to complete its double track."

And after some time spent thereon, Mr. Speaker resumed the chair and Mr. Yeomans, from said committee, reported, that they had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

On motion of Mr. J. Benedict,

The House returned to the 8th order of business.

On motion of Mr. Ingersoll,

Resolved, That the petitions and papers now in the hands of the committee on commerce and navigation, relating to the incorporation of the Bainbridge and Lanesboro steamboat navigation company, be referred to the select committee having charge of the bill incorporating said company.

On motion of Mr. Macomber,

The House proceeded to the consideration of the motion to reconsider the resolution in regard to the supplying of members with copies of the Revised Statutes.

Mr. Speaker put the question whether the House would agree to the said motion to reconsider, and it was determined in the negative.

{ AYES 28 }
{ NOES 57 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

O. Allen	Barrroughs	Elderkin	Jayne	Pool
Anthon	J. F. Clark	Ely	Kellogg	Stilwell
Bird	Coffin	Ferrie	Le Roy	Varnum
Bradley	Colvin	Gleason	Lesley	Welden
Brayton	Congdon	H. Harris	Moss	Wooster
Briggs	Davis	Horton		

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Those who voted in the negative are,

H. J. Allen	Chamberlin	Heath	Maurice	A. Smith
Atwood	G. Clark	Hewit	Noble	E. T. Smith
R. Babcock	Cooke	Higby	Pardee	Southwick
Backhouse	Corser	Hinds	E. Perry	Stewart
Barnes	Dewey	Ingersoll	Rider	Stratton
Belknap	Douglass	Kinsley	Robinson	Speaker
T. H. Benedict	Ellwood	Langdon	Rockwell	O. C. Thompson
Blackstone	Farr	Lawyer	Rowe	Townsend
Bottum	French	Leggett	W. Russell	Ward
Bushnell	Gilbert	McLouth	W. F. Russell	Wright
Cady	L. Harris	Macomber	Sickles	Yeomans
Campbell	Hatch			

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Mr. Speaker appointed as an additional member on State prisons to visit Sing Sing, Mr. Briggs.

On motion of Mr. Robinson,

The House proceeded to the consideration of the resolution heretofore offered by Mr. A. A. Thompson, in the words following, to wit :

Resolved, That so much of the resolution passed yesterday, as excepts members of previous Legislatures from receiving the Revised Statutes be rescinded, and that the resolution be made to apply to all the members, officers and reporters of this House.

Pending which,

On motion of Mr. Pardee,
The House at two o'clock, adjourned.

MONDAY, FEBRUARY 10, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Halloway.

The minutes of yesterday were read and approved,

Mr. Baker presented the petition of inhabitants of Cohocton, Steuben co; Mr. Pardee of inhabitants of Naples, Ontario co.; Mr. Burroughs of 80 citizens of Gaines, Orleans co.; Mr. Graham, of citizens of Hector, Tompkins co., and 35 ladies of Ulysses, Tompkins co.; Mr. Kellogg, of citizens of Homer, Cortland co.; and Mr. Atwood, of citizens of Aurora, Erie co., all praying for a law to prohibit the sale of intoxicating drinks, which were read and referred to the select committee on that subject.

Mr. Wright presented the petition of 100 legal voters of Morris, Otsego co., and two petitions of inhabitants of the same county, for the amendment of the present free school law, which were read and referred to the committee of the whole when on the bill on that subject.

Mr. Tuthill presented the petition of 110 legal voters of Suffolk co, for the repeal or modification of the free school law, which were read and referred to the committee of the whole on that subject.

Mr. Graham presented the petition of inhabitants of Enfield, Tompkins co., for the repeal of the free school law, abolition of the Normal School and District School Journal, and the office of State and town superintendents, which was read and referred to the committee of the whole on that subject.

Mr. Wright presented the petition of 84 citizens of New Lisbon, Otsego co.; Mr. Smith the petition of inhabitants of Suffolk co., and Mr. Dennison of inhabitants of Pompey, Onondaga co., for the repeal of the free school law, which were read and referred to the committee of the whole when on the bill upon that subject.

Mr. O. Allen presented the petition of 2063 citizens of Buffalo, Erie co., for the passage of a bill reported by the majority of the committee of the House on excise in 1850, which was read and referred to the select committee on that subject.

Mr. Cooke presented the remonstrance of inhabitants of Greene co., against the formation of a new county from parts of Delaware,

Greene and Schoharie, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Bradley presented the petition of citizens of Ledyard, Cayuga county, for an amendment of the charter of the Sodus canal company, which was read and referred to the committee on canals.

Mr. Kinsley presented two several petitions of the bar and others, of Greene county, for a law enlarging the jurisdiction of county courts, which was read and referred to the committee on the judiciary.

Mr. Swords presented the petition of citizens of the city of New-York, for an act to incorporate the New-York independent freehold building society, which was read and referred to the committee on the judiciary.

Mr. J. Benedict presented the petition of J. W. Nye, John J. Foote, and 94 others, electors of Madison co., for the speedy passage of a law to secure to all persons arrested as fugitive slaves, the privileges of habeas corpus, and right of trial by jury, which was read and referred to the committee on the judiciary.

Mr. Bird presented the petition of citizens of Black Rock, Erie co., for a law to provide for leasing ferries at that place, which was read and referred to the committee on commerce and navigation.

Mr. Burroughs presented the petition of 40 inhabitants of Ovid, Seneca co., praying for aid to the Genesee college, which was read and referred to the committee on colleges, academies and common schools.

Mr. Coffin presented the remonstrance of 150 inhabitants of Otsego county, living on the road of the Butternuts and Oxford turnpike co., against the application of the company, for authority to abandon a part of their road, which was read and referred to the committee on roads and bridges.

Mr. Higby presented the petition of inhabitants of Prattsburgh, Steuben county, praying that said village be made a separate road district, which was read and referred to the committee on roads and bridges.

Mr. Graham presented the petition of citizens of Hector, Tompkins co., for a law authorising said town to elect five justices of the peace, which was read and referred to the committee on the judiciary.

Mr. Belknap presented the remonstrance of trustees of Newburgh, Orange co., against any release of title of this State, to Washington's Head Quarters, to Jonathan Hasbrouck, or to others, which was read and referred to the committee on public lands.

Mr. W. F. Russell presented the petition of citizens of Ulster co., for an alteration of the boundaries of the village of Ulster, so as to exclude James Brink, which was read and referred to a select committee consisting of the Ulster co. delegation.

Mr. Bottum presented the petition of Wm. Wiggins, of Wolcott, Wayne co., for relief in the matter of the sale of a certain lot of land, which was read and referred to the committee on grievances.

Mr. Wooster presented the petition of Morris H. Cullen, of New-

port, Herkimer co., for a change of name, which was read and referred to the committee on the judiciary.

Mr. Sherman presented the petition of Henry L. Tobey, of Poughkeepsie, Dutchess co., for the appointment of Horace Greeley, as U. S. Senator, which was read and referred to the committee on the judiciary.

Mr. Jayne presented two petitions of J. Carpenter, of Milo, Ulster co., for compensation for the loss of a boat and cargo in the Erie canal, in consequence of obstructions, &c., which were read and referred to the committee on canals.

Mr. E. Perry presented the petition of 125 citizens of school district No. 13, of Cohoes, Albany co., that the provisions of the act to establish free schools in the village of Cohoes, may not apply to said district, which was read and referred to the committee on colleges, academies and common schools.

Mr. Lesley, from the committee on roads and bridges, to which was referred the petitions in relation to rebuilding a bridge over Clyde river in Lyons, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the supervisors of the county of Wayne to levy a tax upon the town of Lyons, in said county, for the purpose of building a bridge over the Clyde river, on the Geneva road," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Wooster, from the committee on the erection and division of towns and counties, to which were referred the petitions relating to the division of Wayne co., made a written report and offered the following resolution, to wit:

Resolved, That the prayer of the petitioners ought not to be granted.

Ordered, That said report be laid on the table.

Mr. Chamberlin, from the committee on grievances, to which as referred the petitions of Charles Ehle, for canal damages, reported, and asked and obtained leave to bring in a bill entitled, "An act to provide for the appraisal and payment of canal damages to Charles Ehle," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the bill from the Senate entitled, "An act to amend the charter of the village of Dundee," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to amend an act entitled, 'An act to incorporate the city of Oswego,' passed March 24, 1848, and the act amending the same, passed March 31,

1849," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the petitions of the supervisors of Kings co., for power to employ a clerk to make out tax list, &c., reported, and asked and obtained leave to bring to bring in a bill entitled, "An act in relation to the board of supervisors of the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Le Roy, from a majority of the committee on the judiciary, to which was referred the bill entitled, "An act to authorise the formation of savings banks and to regulate the same," reported in writing, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

(*See Doc. No. 39.*)

Mr. Townsend, from the minority of the committee on the judiciary, to which was referred the same subject reported in writing against the passage of the same.

Ordered, That said report be committed to the committee of the whole.

(*See Doc. No. 40.*)

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of inhabitants of Astoria, Queens co., for a law authorising the trustees of the village of Astoria to grant tavern licenses in said village, reported, and asked and obtained leave to bring in a bill, which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petitions and bills for the incorporation of mutual loan and building associations, reported unfavorably thereto, and asked to be discharged from their further consideration.

Ordered, That the said bills be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act for the incorporation of building and accumulating fund associations," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Varnum, from the select committee, to which was referred the bill from the Senate entitled, "An act in relation to railroad corpora-

tions," to report complete, reported that the committee had gone through said bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill be read the third time.

Mr. Bird, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Senate, "An act to authorise the election of an additional supervisor in the city of Schenectady," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Hatch, from the committee on claims, to which was referred the petition of Abijah Osborn, for relief, reported and asked and obtained leave to bring in a bill entitled, "An act for the relief of Abijah Osborn," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. O. Allen, from the joint select committee on the joint rules of the Senate and Assembly, reported in favor of adopting the joint rules of the last Legislature with the following amendments: after the eleventh joint rule insert, "nor to bills for consolidating two corporations into one." Amend the 14th joint rule by adding thereto the following words: "whenever either House shall order more than the usual number of any message or document not originating therein, the fact shall be immediately communicated by message to the other," which report was agreed to.

Mr. Varnum, from the select committee consisting of the New-York delegation, to which was referred the bill entitled, "An act to amend an act in relation to the assessment and collection of taxes in the city of New-York, and to amend the several acts in relation thereto," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Ingersoll, from the select committee consisting of the Chenango and Broome co. delegations, to which was referred the bill entitled, "An act to incorporate the Bainbridge and Lanesboro' steamboat navigation company," reported that committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

A communication was received from the Comptroller, in answer to a resolution of the Assembly requesting information whether there was any evidence in his office to show that a sum of money, with interest thereon, had been paid to Capt. John Wood, which was read and referred to the committee on claims.

Mr. Speaker presented the annual report of the Mechanics and Farmer's bank of the city of Albany, of unclaimed dividends and de-

posits; also, a statement of the Brooklyn savings bank, which were read and referred to the committee on banks and insurance companies.

Mr. O. Allen called for the consideration of the resolution of Mr. Wooster, in relation to the division of Wayne county, and the same was agreed to.

Mr. H. J. Allen gave notice that he would at some early day, ask leave to introduce a bill to confer authority on the common council of New-York, to compel the attendance, and take testimony of witnesses under the same penalties, with courts of law.

On motion of Mr. Jayne,

Resolved, That the petition and other papers relating to the claim of Davidson Mosier, be taken from the files of this House, and referred to the committee on canals.

Mr. Graham offered for the consideration of the House, resolutions in the words following, to wit:

Whereas, the sentiments and feeling of the people of this State, relative to their estimate of the value of the Union, and adhesion to the national compact and duties under it, are misrepresented, whereby jealousies are created and fostered; therefore,

Resolved, (If the Senate concur,) That the people of this State have not faltered, nor wavered in their devotion to the Constitution, nor in their attachment to the Union, from the hour of their formation and adoption; but on the contrary, have continued to regard them with increased ardor and affection, as time and experience have developed and manifested their fitness to secure the prosperity, happiness and liberty of the country and its citizens.

Resolved, (If the Senate concur,) That the determination of the people of this State, to adopt and sanction all lawful measures to prevent the extension of slavery or involuntary servitude beyond its present limits in this Republic, is unaltered and unalterable, and is the natural and legitimate result of that liberal and enlightened policy of education which has been adopted by the State, and which is so admirably adapted to secure in the public mind that deep and abiding love of liberty and justice, which begets an abhorrence of slavery, and seeks to be absolved from all responsibility for its continuance, while it prompts to the faithful discharge of all constitutional obligations, and will not sanction nor tolerate any unconstitutional interference with the rights of the States where slavery exists, but concedes and acknowledges the constitutional right of their own citizens, freely to judge and decide for themselves relative to its continuance within their respective borders.

Resolved, (If the Senate concur,) That while the people of this State disapprove of the act known as the fugitive slave law, and earnestly desire and insist upon its modification, in such manner as to guard free persons from being enslaved under its provisions, and so as to secure a trial by jury in the State where found to all claimed under it as having escaped from labor or service justly due in some other State, they acquiesce in the act of President Fillmore, in signing the bill after its passage by Congress, upon the ground that the

people should be left free to enact, by and through their representatives in Congress, such laws as they may deem their interests to demand, without the incitement of Executive influence, or the obstruction of the Executive veto, except in cases of manifest violation of the Constitution, corruption, or want of due deliberation; and that the deliberate opinion of the Attorney General is sufficient justification for the action of the Executive upon the constitutionality of measures submitted to him by Congress for his approval, or otherwise.

Ordered, That the said resolutions be laid upon the table.

Mr. Ferris gave notice that he would at an early day, ask leave to introduce a bill providing for the election of five justices of the peace in the town of Hector, in the county of Tompkins.

On motion of Mr. L. Harris,

Resolved, That the bill to amend the militia law of this State, and in addition thereto, be recommitted to the committee on militia and public defence.

Mr. O. Allen gave notice that he would, at an early day, ask leave to introduce a bill to authorise the Buffalo gas light co. to sell certain lands in the city of Buffalo.

Also, that he would, at an early day, ask leave to introduce a bill to authorise the city of Buffalo to borrow money to build a city hall.

Mr. Bird offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the printing, and all action under the resolution of this House in relation to the printing of the Transactions of the New-York State Ag. Society, be suspended until the further order of this House.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

On motion of Mr. Corser,

Resolved, That the petition of Wm. Buell, transmitted to this House from the Senate, be referred to the committee on claims, and that the same be printed at the expense of the petitioner.

Mr. J. Benedict gave notice that he would, at an early day, ask leave to introduce a bill authorising the Bainbridge and Lanesboro steamboat navigation company to improve the Susquehanna river.

On motion of Mr. Moss,

Resolved, That the papers relating to the claim of John Day and Stephen Bugbee for canal damages, be taken from the files and referred to the committee on canals.

On motion of Mr. Cady,

Resolved, That the petitions, memorials and communications made to the Assembly at its last session, relating to the assessment of taxes and taxation, be taken from the files and referred to the select committee on that subject.

On motion of Mr. L. Harris,

Resolved, That the committee on the judiciary be discharged from the further consideration of the claim of James Hay and the papers relating thereto, and that the same be referred to a select committee.

Mr. A. Smith gave notice that he would, at an early day, ask leave to introduce a bill empowering the boards of supervisors of the several counties of the State to make the office of county clerk in their counties respectively, a salary office, and to fix the salary of such officer, together with the amount to be allowed for clerk hire and for other purposes.

Mr. L. Harris offered for the consideration of the House, resolutions in the words following, to wit :

Resolved, That it is inexpedient to spend the time of this House at present, while the business of the State is pressing upon us, in discussing the policy of the laws of Congress or any abstract political questions.

Resolved, That if the Union has been saved and peace restored by recent acts of Congress, we ought to be satisfied with that peace and salvation, and ought not to seek to disturb it by discussing the measures here at this time which are supposed to have produced so desirable a result.

Resolved, That resolutions of fidelity to the Union are not necessary for those who are conscious of rectitude, and would only tend to throw suspicion upon the character of innocent men, as it is not usual for a person not guilty of larceny to protest that he is not a thief.

Debate being had thereon,

Ordered, That said resolutions be laid upon the table.

Mr. Robinson offered for the consideration of the House, a resolution, in the words following, to wit :

Resolved, That a copy of the third edition of the Revised Statutes be furnished by the Clerk, to all such of the members of the last House, as desire them, the same to be paid out of the contingent fund.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. Le Roy offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the Comptroller be requested to communicate to this House, the name of each incorporated bank, banking association, and individual banker in this State, the capital stock of each, the amount of registered notes of each, the amount upon which each were taxed in 1850, and the amount of taxes paid by each in said year; to be reported in such form as to show the amount of each of the foregoing items, in each county separately; also the amount which other corporations were assessed and taxed for 1850, in each county, to be reported in the same form.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Leave of absence was granted to Messrs. Heath, Backhouse, Lewis, for four days; Messrs. Brayton, McLouth, French, Severance, and Nelson, for one week, and to Mr. Dewey, for three days.

By unanimous consent,

Mr. J. Benedict asked and obtained leave to introduce a bill entitled, "An act to incorporate the Utica art association, for the promo-

tion of the fine arts," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the Oneida county delegation.

In pursuance of previous notice, Mr. Wright asked for and obtained leave to bring in a bill entitled, "An act to confirm the official acts of Torry J. Luce, a justice of the peace, in the town of Hartwick, Otsego co.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Wright asked for and obtained leave to introduce a bill entitled, "An act to extend the term of the act to incorporate the Unidilla bridge company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Coffin asked for and obtained leave to introduce a bill entitled, "An act to revise and extend an act authorising John Low, and others, to erect and maintain a rolling dam across the Susquehannah river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. H. Harris asked for and obtained leave to introduce a bill entitled, "An act to amend the Revised Statutes concerning taxes, and the duties of assessors," which was read the first time, and by unanimous consent was also read the second time, and referred to the select committee on that subject.

On motion of Mr. Tuthill,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the reporters of this House, be furnished with a copy of the books furnished to the Legislature.

Mr. Higby moved to amend, by inserting after "reporters," the words, "and officers."

Mr. Speaker put the question thereon, when it was found there was no quorum present. Thereupon, the roll was called, when it appeared, that a quorum was present, the following members answering to their names:

H. J. Allen	Cady	H. Harris	Macomber	E. T. Smith
O. Allen	Chamberlin	L. Harris	Maurice	Stevens
Atwood	Campbell	Hatch	Moss	Stilwell
Baker	G. Clark	Higby	Pardee	Stratton
Barnes	J. F. Clark	Hinds	E. Perry	Swords
Belknap	Coffin	Horton	Pool	Speaker
J. Benedict	Cooke	Ingersoll	Ridor	Townsend
Bird	Congdon	Jayne	Robinson	Tuthill
Blackstone	Corser	Kellogg	Rowe	Varnum
Botlum	Davis	Langdon	W. F. Russell	Ward
Bradley	Elderkin	Lawyer	Sherman	Welden
Briggs	Ely	Le Roy	Sickles	Wooster
Burroughs	Ferris	Lesley	A. Smith	Wright
Bushnell	Graham	Lewis		

Mr. Tuthill accepted the proposed amendment.

Mr. Speaker put the question whether the House would agree to the said resolution, as amended, and it was determined in the affirmative.

{ AYES 49 }
{ NOES 18 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Campbell	Ferris	Lawyer	E. T. Smith
Atwood	Chamberlin	L. Harris	Macomber	Stevens
Baker	G. Clark	Hatch	Maurice	Stratton
Barnes	J. F. Clark	Higby	E. Perry	Swords
Belknap	Coffin	Hinds	Rider	Speaker
J. Benedict	Cooke	Horton	Robinson	Townsend
Blackstone	Congdon	Ingersoll	Rowe	Tuthill
Bottum	Corser	Jayne	W. F. Russell	Wright
Burroughs	Davis	Kinsley	Sherman	Yeomans
Bushnell	Ely	Kellogg	Sickles	

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Those who voted in the negative are,

O. Allen	Dennison	Le Roy	Pool	Varnum
Bird	Elderkin	Lesley	A. Smith	Welden
Bradley	Graham	Moss	Stilwell	Wooster
Cady	Langdon	Pardee		

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The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act further to amend the charter of the Attica and Hornellsville railroad company, passed May 14, 1845, so as to authorise said company to extend their road to the city of Buffalo, and to change the corporate name."

"An act to authorise any railroad corporation in this State to subscribe to the capital stock of the Attica and Hornellsville railroad company."

"An act to authorise the Buffalo and Rochester railroad company to sell and convey to the Attica and Hornellsville railroad company the whole or any portion of its real estate, railroad track, depots and appendages, in or from the village of Attica to the city of Buffalo."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Sherman, from said committee, reported that the committee had gone through said bills, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bills be engrossed for a third reading.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to change the name of Mary Owen to Mary Owen Denison."

"An act to provide for the election of a separate officer to perform the duties of the office of surrogate in certain counties."

"An act to provide for exchanging the reports of the court of appeals for the law reports of other states."

And after some time spent thereon, Mr. Speaker resumed the chair,

and Mr. Wooster, from said committee, reported that the committee had gone through said bills, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bills be engrossed for a third reading.

The House then resolved itself into a committee of the whole on the bills entitled, as follows, to wit:

"An act in relation to the Troy cemetery association."

"An act to incorporate the Protestant Episcopal mutual benefit society."

"An act to authorise the erection of a fire proof building for the State library, and to provide for the better accommodation of members of the Legislature."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Atwood, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

Mr. Atwood, from said committee, reported that the committee had gone through said second mentioned bill, and agreed to the same with an amendment, which report was agreed to.

Mr. Atwood, from said committee, reported progress on said last mentioned bill, and asked and obtained leave to sit again.

A message from the Governor was received and read, in the words following, to wit:

EXECUTIVE DEPARTMENT, }
Albany, Feb. 7th, 1851. }

To the Assembly:

I have this day approved and signed the following entitled bills:

"An act to authorise the commissioners of highways of the town of Lancaster to borrow money."

"An act to change the time of holding the annual town meeting of the town of Seward, Schoharie co., for the year 1851."

"An act referring the claim of Daniel Cornell, and Ransom Clark, of the town of Guilford, in the county of Chenango, to the electors of said town."

"An act to extend the operation and effect of the act passed Feb. 17, 1848, entitled, 'An act to authorise the formation of companies for mining, manufacturing, mechanical or chemical purposes.'"

WASHINGTON HUNT.

A committee from the Senate appeared and announced that that body had appointed James M. Cook as President pro tem.

Mr. J. Benedict asked and obtained leave to be exempted from further service on the judiciary committee.

A communication was received from the Governor, transmitting certain resolutions of the Legislative Council of Canada, expressing their satisfaction regarding the contributions made by this State to aid in the re-establishment of the parliamentary library.

On motion of Mr. O. Allen,

The House, at 10 minutes past 2 o'clock, adjourned.

TUESDAY, FEBRUARY 11, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Doran.

The minutes of yesterday were read and approved,

Mr. Norton presented the petition of Elizabeth Jenkins, for a confirmation of her title to real estate, which was read and referred to the select committee on that subject.

Mr. Gleason presented two several petitions of 196 inhabitants of Delaware county, for an act to authorise a stay of the collection of rent in certain cases and for other relief, which were read and referred to the select committee on that subject.

Mr. Feller presented two petitions of citizens of Milan, and Red Hook, Dutchess county, for a modification of the free school law, which were read and referred to the committee of the whole having charge of that subject.

Mr. Ferris presented the memorial of sundry inhabitants of the county of Tompkins, for an act to repeal the free school law, which was read and referred to the committee of the whole on that subject.

Mr. Stratton presented the petition of Wm. Gillespie, and 160 citizens of the town of Bethel, against the sale of intoxicating liquors, which was read and referred to the select committee on that subject.

Mr. Lawyer presented the remonstrance of 44 inhabitants of Fulton, Schoharie co., against a division of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Ferris presented the petition of sundry inhabitants of Covert, in the county of Seneca, for the repeal of the free school law, which was read and referred to the committee of the whole on that subject.

Mr. Briggs presented the petition of inhabitants of the town of Eastchester, Westchester co., for re-enclosing the plot of ground in front of St. Paul's church, in said town, which was read and referred to the committee on the judiciary.

Mr. Yeomans presented two petitions of citizens of Palmyra, Wayne county, for a repeal of the free school law, which were read and referred to the committee of the whole on that subject.

Mr. Lesley presented the memorial of a committee in behalf of the trustees of the Rensselaer institute, which was read and referred to the committee on colleges, academies and common schools.

Mr. Maurice presented the petition of inhabitants of school district No. 3, in the town of Flushing, to establish a free school in that district, which was read and referred to the committee on colleges, academies and common schools.

Mr. Ferris presented the remonstrance of sundry inhabitants of the

village of Owego, against amending the charter of said village, and extending its bounds, which was read and referred to the committee of the whole on that subject.

Mr. Ferris presented the petition of sundry inhabitants of Spencer, Tioga co., for a law making the retailer of intoxicating drinks, responsible for the injuries resulting from the traffic, which was read and referred to the select committee on that subject.

Mr. Moss presented the petition of Amos W. Scriven, for relief, on account of the change of the route of the canal at Pendleton, Niagara county, or to restore the canal to the old route, which was read and referred to the committee on canals.

Mr. Corser presented the petition of citizens of Monroe, for repeal of the free school law, abolition of Normal school and school journal, which was read and referred to the committee of the whole on that subject.

Mr. O. Allen presented the petition of 2277 citizens of Buffalo, for an act that city and town officers be compelled to ascertain and report to a committee chosen for that purpose, the number of neglected and destitute children in their respective bounds, not receiving annually, the benefits of the educational provisions of the State, or otherwise, not provided for, and also extending to such authorities the legal powers to provide for the mental, physical, and moral education of such children, in such manner as the Legislature may deem best, which was read and referred to the committee on grievances.

Mr. Jayne presented the petition of sundry inhabitants of Milo, Yates co., for an act giving said inhabitants power to raise money to build a bridge across the Crooked lake outlet, which was read and referred to the committee on the judiciary.

Mr. Belknap presented two petitions of sundry citizens of Orange co., that a copy of Webster's quarto dictionary be placed in each school district library in the State, which was read and referred to the committee on colleges, academies and common schools.

Mr. Lawyer presented the remonstrance of 48 inhabitants of Summit, Schoharie co., against a division of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Stevens presented two petitions of sundry inhabitants of Onondaga and Oswego counties, for an act authorising the Canal commissioners to lower the dam at Phoenix, on the Oswego river, which were read and referred to the committee on canals.

Mr. Rouse presented the petition of sundry citizens of Marshall, Oneida county, for the unconditional repeal of the free school law, which was read and referred to the committee of the whole, when on that subject.

Mr. Wooster presented the petition of sundry inhabitants of Frankfort, Herkimer county, for an act to increase the number of members of the fire company in said village, which was read and referred to the committee on the judiciary.

Mr. Cooke presented the remonstrance of sundry citizens of Greene county, against the erection of a new county, from parts of Greene,

Schoharie; and Delaware, which was read and referred to the committee on the erection and division of towns and counties.

Mr. H. J. Allen presented three petitions of several citizens of New-York, praying for the passage of the law for the licensing and governing of the pilots of the port of New-York, which were read and referred to the committee on commerce and navigation.

Mr. Swords presented the petition of Dennis Fogarty, for the repeal of two acts for the relief of Mary Ball, which was read and referred to the committee on the judiciary.

Mr. Macomber presented the remonstrance of sundry citizens of Williamsburgh, against the charter of that place, by the passage of the bill now before the House, which was read and referred to the select committee on that subject.

Mr. Rockwell presented the remonstrance of 80 citizens of Middleburgh, against a division of Schoharie county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Leggett presented the petition of a number of the inhabitants of Saratoga, that the property of the State should educate the children of the State, and for a more equal assessment of property, which was read and referred to the select committee on that subject.

Mr. Maurice presented the petition of Elias Lewis, jr., and 49 other citizens of North Hempstead, Queens co., for the total and immediate repeal of the free school law, which was read and referred to the committee of the whole on that subject.

Mr. Dougherty appeared and took the constitutional oath of office and his seat as a member from New-York.

Mr. Speaker announced the following select committee on the claim of James Hay : Messrs. L. Harris, Greene, Stilwell, Ferris, Lawyer.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the resolution of the common council of the city of Utica, for the passage of an act to authorise the election of a supervisor in each ward in the city of Utica, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the election of a supervisor in each ward in the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Swords, from the committee on colleges, academies and common schools, to which was referred the bill entitled, "An act to establish and regulate public schools within this State," reported that the committee had examined said bill, and had come to the conclusion that the same ought not to be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Lawyer, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to fix the salary of the clerk of the Canal Appraisers."

"An act to authorise the Albany and Schenectady railroad com-

pany to borrow money, to pay outstanding bonds, and to complete its double track."

"An act to provide for exchanging the reports of the court of appeals for the law reports of other states."

"An act in relation to the Troy cemetery association."

"An act for the relief of the devisees of William Clowther."

"An act to authorise any railroad corporation in this State to subscribe to the capital stock of the Attica and Hornellsville railroad company."

"An act further to amend the charter of the Attica and Hornellsville railroad company, passed May 14, 1845, so as to authorise said company to extend their road to the city of Buffalo, and to change the corporate name."

"An act to change the name of Mary Owen to Mary Owen Dennison."

"An act to incorporate the Protestant Episcopal mutual benefit society."

"An act to provide for the election of a separate officer to perform the duties of the office of surrogate in certain counties."

"An act to authorise the Buffalo and Rochester railroad company to sell and convey to the Attica and Hornellsville railroad company the whole or any portion of its real estate, railroad track, depots and appendages, in or from the village of Attica to the city of Buffalo."

Ordered, That said bills be read the third time.

Mr. Ward, from the committee on charitable and religious societies, to which was referred the petition of the laborers' accident benevolent relief society of the city of Albany, for a charter, reported that the object sought for could be obtained under the general law, passed April 12, 1848, and offered the following resolution, to wit :

Resolved, That the petitioners have leave to withdraw their petition.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of inhabitants of Orange co., for the repeal of the law in relation to the draining of swamps and bog meadows, reported, and asked and obtained leave to bring in a bill entitled, "An act to amend title 16, chap. 8, part 3, of the Revised Statutes, entitled, 'Of proceedings for the draining of swamps, marshes and other low lands,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Townsend, from a majority of the committee on the judiciary, to which was referred the petition of Dennis McCarthy and others to be discharged from a portion of their liability as sureties of Cornelius M. Brosnan, late treasurer of the county of Onondaga, reported in writing and offered the following resolution, to wit :

Resolved, That the prayer of the petitioners ought not to be granted.

(See Doc. No. 50.)

Ordered, That said report be laid on the table and printed.

Mr. J. Benedict, from the same committee, presented a minority report in writing, and asked and obtained leave to bring in a bill entitled, "An act for the relief of the bail of the county treasurer of Onondaga co.," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(See Doc. No. 51.)

Mr. Townsend, from the committee on canals, asked and obtained leave to present a minority report from said committee, accompanied by a bill entitled, "An act to revise and amend the several acts to incorporate and to extend the powers of the Sodus canal company," and asked and obtained unanimous consent for leave to introduce said bill, which was read the first time, and by unanimous consent was also read the second time.

Mr. Burroughs moved to lay said bill on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

Mr. Townsend moved to refer to the committee of the whole.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Townsend, and it was determined in the affirmative.

Mr. Burroughs, from the committee on colleges, academies and common schools, presented a minority report in writing from said committee.

Mr. J. Benedict, from the select committee consisting of the Oneida co. delegation, to which was referred the bill entitled, "An act to incorporate the Utica art association for the promotion of the fine arts," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Speaker presented the annual report of the institution for the blind.

Mr. Tuthill offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That there be printed of the report of the institution for the blind, five times the usual number, 500 for the Secretary's office, and 500 for the Institution.

Ordered, That the said resolution be referred to the committee on printing.

Mr. Speaker presented the annual report of the eastern dispensary of the city of New-York.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bills entitled as follows :

"An act to authorise the Utica steam woolen mills company, to increase its capital stock," which was read the first time, and by

unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

"An act to authorise the Utica globe mills company, to increase its capital stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to enable Enos Collius to take, hold, and convey real estate, within this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled, "An act to provide for the election of a separate officer to perform the duties of surrogate, in certain counties," was read a third time.

On the question of its final passage, no constitutional quorum voted.

The bill entitled, "An act to authorise any railroad corporation in this State, to subscribe to the capital stock of the Attica and Hornellsville railroad company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 71 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	J. F. Clark	H. Harris	Maurice	Shall
O. Allen	Coffin	Hatch	Moss	Sherman
Anthon	Congdon	Higby	Norton	A. Smith
Atwood	Corser	Horton	Pardee	E. T. Smith
R. Babcock	Davis	Ingersoll	E. Perry	Stevens
Barnes	Dennison	Jayne	J. L. Perry	Stewart
Belknap	Dewey	Kinsley	Pool	Stilwell
J. Benedict	Elderkin	Kellogg	Robinson	Stratton
Bird	Ellwood	Langdon	Rockwell	Swords
Blackstone	Farr	Lawyer	Rouse	A. A. Thompson
Bradley	Ferris	Leggett	Rowe	Townsend
Briggs	Feller	Le Roy	W. Russell	Tuthill
Cady	Gilbert	Lesley	W. F. Russell	Wright
Chamberlin	W. S. Gregory	Macomber	Ryan	Yeomans
G. Clark				

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The Senate bill entitled, "An act in relation to railroad corporations," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Campbell	Gleason	Maurice	E. T. Smith
O. Allon	Chamberlin	W. S. Gregory	Moss	Stevens
Anthou	G. Clark	L. Harris	Pardee	Stewart
Atwood	J. F. Clark	Hatch	J. L. Perry	Stilwell
R. Babcock	Coffin	Higby	Pool	Stratton
Baker	Congdon	Hinds	Rider	Swords
Barnes	Corser	Horton	Robinson	A. A. Thompson
Belknap	Davis	Ingersoll	Rockwell	Townsend
J. Benedict	Dennison	Jayne	Rouse	Tuthill
Bird	Dewey	Kinsley	W. Russel	Varnum
Blackstone	Elderkin	Kellogg	W. F. Russell	Ward
Bradley	Ellwood	Lawyer	Ryan	Whiteside
Briggs	Farr	Leggett	Shall	Wooster
Burroughs	Ferris	Le Roy	Sherman	Wright
Bushnell	Feller	Lesley	A. Smith	Yeomans
Cady	Gilbert	Macomber		

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Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have concurred in the same without amendment.

The bill entitled, "An act to authorise the Albany and Schenectady railroad company to borrow money, to pay outstanding bonds, and to complete its double track," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows.

{ AYES 70 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Bushnell	Gleason	Maurice	Sherman
O. Allen	Cady	W. S. Gregory	Moss	E. T. Smith
Anthou	Campbell	H. Harris	Norton	Stevens
Atwood	G. Clark	Hatch	Pardee	Stewart
R. Babcock	J. F. Clark	Higby	E. Perry	Stilwell
Baker	Coffin	Horton	J. L. Perry	Stratton
Barnes	Congdon	Jayne	Pool	Swords
Belknap	Corser	Kellogg	Rider	Townsend
J. Benedict	Dennison	Langdon	Robinson	Tuthill
Bird	Elderkin	Lawyer	Rouse	Ward
Blackstone	Ellwood	Leggett	Rowe	Whiteside
Bradley	Ferris	Lesley	W. F. Russell	Wooster
Briggs	Feller	Lyon	Ryan	Wright
Burroughs	Gilbert	Macomber	Shall	Yeomans

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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act further to amend the charter of the Attica and Hornellsville railroad company, passed May 4, 1845, so as to authorise said company to extend the road to the city of Buffalo, and to change the corporate name," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 70 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Campbell	Gleason	Maurice	A. Smith
O. Allen	Chamberlin	W. S. Gregory	Moss	Stevens
Anthon	G. Clark	Hatch	Pardee	Stewart
Atwood	J. F. Clark	Higby	E. Perry	Stillwell
R. Babcock	Coffin	Horton	J. L. Perry	Stratton
Baker	Congdon	Ingersoll	Pool	Swords
Barnes	Corser	Jayne	Rider	Townsend
Belknap	Dennison	Kinsley	Robinson	Tuthill
J. Benedict	Dewey	Kellogg	Rockwell	Varnum
Bird	Elderkin	Langdon	Rouse	Ward
Blackstone	Farr	Lawyer	Rowe	Whiteside
Burroughs	Ferris	Leggett	W. Russell	Wooster
Bushnell	Feller	Lesley	Shall	Wright
Cady	Gilbert	Macomber	Sickles	Yeomans 70

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to authorise the Buffalo and Rochester railroad company, to sell, and convey to the Attica and Hornellsville railroad company, the whole or any portion of its real estate, railroad, track, depots and appendages, in or from the village of Attica, to the city of Buffalo," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 69 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	W. S. Gregory	Maurice	E. T. Smith
O. Allen	J. F. Clark	L. Harris	Moss	Stevens
Anthon	Coffin	Hatch	Norton	Stillwell
Atwood	Congdon	Hinds	Pardee	Swords
R. Babcock	Corser	Ingersoll	Pool	Townsend
Baker	Davis	Jayne	Rider	Tuthill
Barnes	Dennison	Kinsley	Rockwell	Varnum
Belknap	Dewey	Kellogg	Rouse	Ward
J. Benedict	Ellwood	Langdon	Rowe	Welden
Bird	Farr	Lawyer	W. Russell	Whiteside
Blackstone	Ferris	Leggett	Ryan	Wooster
Burroughs	Feller	Le Roy	Shall	Wright
Bushnell	Gilbert	Lesley	Sickles	Yeomans
Cady	Gleason	Macomber	A. Smith	69

Ordered, That the Clerk return the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to change the name of Mary Owen, to Mary Owen Denison," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 70 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	G. Clark	Hinds	Pardee	E. T. Smith
Antho	J. F. Clark	Jayne	E. Perry	Stevens
R. Babcock	Coffin	Kinaley	J. L. Perry	Stewart
Baker	Congdon	Kellogg	Pool	Stilwell
Barnes	Corser	Langdon	Rider	Stratton
Belknap	Dennison	Lawyer	Rockwell	Swords
J. Benedict	Dewey	Leggett	Rouse	Townsend
Bird	Elderkin	Le Roy	Rowe	Tuthill
Blackstone	Farr	Lesley	W. Russell	Ward
Burroughs	Ferris	Lyon	W. F. Russell	Welden
Bushnell	Feller	Macomber	Ryan	Whiteside
Cady	Gilbert	Maurice	Shall	Wooster
Campbell	Gleason	Moss	Sherman	Wright
Chamberlin	Hatch	Norton	A. Smith	Yeomans 70

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act for the relief of the devisees of Wm. Crowther," was read a third time.

On the question of its final passage, no constitutional quorum voted.

The bill entitled, "An act to incorporate the Protestant Episcopal mutual benefit society," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	G. Clark	Hatch	E. Perry	Stevens
O. Allen	J. F. Clark	Higby	J. L. Perry	Stewart
Antho	Davis	Hinds	Pool	Stilwell
Atwood	Dennison	Horton	Rider	Stratton
R. Babcock	Dewey	Ingersoll	Robinson	Swords
Baker	Elderkin	Jayne	Rouse	A. A. Thompson
Barnes	Ellwood	Kinsley	Rowe	Townsend
Belknap	Farr	Kellogg	W. Russell	Tuthill
J. Benedict	Ferris	Langdon	W. F. Russell	Ward
Bird	Feller	Lawyer	Ryan	Welden
Blackstone	Gilbert	Le Roy	Shall	Whiteside
Briggs	Gleason	Lesley	Sherman	Wooster
Bushnell	W. S. Gregory	Macomber	Siekles	Wright
Cady	H. Harris	Maurice	A. Smith	Yeomans
Chamberlin	L. Harris	Pardee	E. T. Smith	74

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill from the Senate entitled, "An act to authorise the city of Brooklyn to create a loan for the purpose of paying existing liabilities and current expenses to the first of Sept. next," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	G. Clark	Higby	Pardee	A. Smith
O. Allen	J. F. Clark	Hinds	E. Perry	E. T. Smith
Atwood	Coffin	Horton	J. L. Perry	Stevens
R. Babcock	Corser	Jayne	Pool	Stewart
Baker	Davis	Kinsley	Rider	Stilwell
Barnes	Dennison	Kellogg	Robinson	Stratton
Belknap	Dewey	Langdon	Rockwell	Swords
J. Benedict	Dougherty	Lawyer	Rouse	Townsend
Bird	Ellwood	Leggett	Rowe	Tuthill
Blackstone	Farr	Le Roy	W. Russell	Ward
Briggs	Ferris	Lesley	W. F. Russell	Welden
Burroughs	Feller	Lyon	Ryan	Whiteside
Bushnell	Gilbert	Macomber	Shall	Wooster
Cady	Gleason	Moss	Sherman	Wright
Campbell	W. S. Gregory	Norton	Siekles	Yeomans
Chamberlin	Hatch			

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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to fix the salary of the clerk of the Canal Appraisers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	L. Harris	Moss	A. Smith
O. Allen	G. Clark	Hatch	Norton	E. T. Smith
Anthon	J. F. Clark	Higby	Pardee	Stevens
R. Babcock	Coffin	Hinds	E. Perry	Stewart
Baker	Corser	Horton	J. L. Perry	Stilwell
Barnes	Davis	Ingersoll	Pool	Stratton
Belknap	Dewey	Jayne	Rider	Swords
J. Benedict	Dougherty	Kinsley	Robinson	Townsend
Bird	Ellwood	Kellogg	Rockwell	Tuthill
Blackstone	Ely	Langdon	Rouse	Ward
Bradley	Ferris	Leggett	Rowe	Welden
Briggs	Feller	Le Roy	W. Russell	Whiteside

Burroughs	Gilbert	Lesley	W. F. Russell	Wooster
Bushnell	Gleason	Lyon	Ryan	Wright
Cady	W. S. Gregory	Macomber	Sherman	Yeomans
Campbell	H. Harris	Maurice	Sickles	79

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to provide for exchanging the reports of the court of appeals for the law reports of other states," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	J. F. Clark	Higby	Pardee	E. T. Smith
O. Allen	Coffin	Hinds	E. Perry	Stevens
Anthon	Corser	Horton	J. L. Perry	Stewart
Atwood	Davis	Ingersoll	Pool	Stilwell
R. Babcock	Dougherty	Jayne	Rider	Stratton
Baker	Elderkin	Kinsley	Robinson	Swords
Barnes	Ellwood	Kellogg	Rockwell	Townsend
J. Benedict	Farr	Langdon	Rouse	Tuthill
Bird	Ferris	Lawyer	Rowe	Varnum
Blackstone	Feller	Leggett	W. Russell	Ward
Bradley	Gilbert	Le Roy	W. F. Russell	Welden
Burroughs	Gleason	Lesley	Ryan	Whiteside
Bushnell	W. S. Gregory	Lyon	Shall	Wooster
Cady	H. Harris	Macomber	Sherman	Wright
Chamberlin	L. Harris	Maurice	Sickles	Yeomans
G. Clark	Hatch	Moss	A. Smith	79

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act in relation to the Troy cemetery association," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 73 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Coffin	Hinds	J. L. Perry	Stevens
O. Allen	Corser	Horton	Pool	Stewart
Atwood	Davis	Ingersoll	Rider	Stilwell
R. Babcock	Dennison	Jayne	Robinson	Stratton
Baker	Dougherty	Kinsley	Rockwell	Swords
Barnes	Elderkin	Kellogg	Rouse	A. A. Thompson
J. Benedict	Ellwood	Lawyer	Rowe	Townsend
Bird	Farr	Leggett	W. Russell	Tuthill

Blackstone	Ferris	Lo Roy	W. F. Russell	Varnum
Bradley	Feller	Lesley	Ryan	Ward
Burrongs	Gilbert	Lyon	Sherman	Welden
Bushnell	Gleason	Macomber	Sickles	Whitcside
Chamberlin	W. S. Grngory	Maurice	A. Smith	Wright
G. Clark	H. Harris	Moss	E. T. Smith	Yeomans
J. F. Clark	Higby	Pardee		

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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bills entitled as follows :

"An act to authorise the Brabant plank road company, to construct their road three rods wide," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorise the Comptroller to receive returns of certain unpaid taxes, on non-resident lands, in the county of Jefferson, for the year 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public lands.

In pursuance of previous notice, Mr. O. Allen asked for and obtained leave to bring in a bill entitled, "An act to authorise the city of Buffalo to borrow money to erect a city hall," which was read the first time and by unanimous consent was also read the second time, and referred to a select committee consisting of the Erie co. delegation.

In pursuance of previous notice, Mr. O. Allen asked for and obtained leave to introduce a bill entitled, "An act to authorise the Buffalo gas light company to sell certain lands," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the Erie county delegation.

Mr. J. Benedict gave notice that he would at an early day, ask leave to introduce a bill to amend the act entitled, "An act to authorise the business of banking."

In pursuance of previous notice, Mr. Jayne asked for and obtained leave to bring in a bill entitled, "An act authorising the commissioners of highways of the town of Milo, Yates county, to borrow money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Stevens asked and obtained leave to bring in a bill entitled, "An act in relation to highways and roads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Ferris asked for and obtained leave to bring in a bill entitled, "An act to provide for the election of an additional justice of the peace, in the town of Hector, in the county of Tompkins," which was read the first time, and by

unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Varnum offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the Comptroller be requested to report to this House, the monied and other corporations existing in the several counties of this State, as exhibited in the annual returns of the supervisors for the year 1850, distinguishing in such report the real estate owned by such corporations, the exemptions if any, claimed and allowed, and the total valuation upon which the tax was levied.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

In pursuance of previous notice, Mr. Macomber asked for and obtained leave to introduce a bill entitled; "An act to incorporate the ladies' union aid society, of the Methodist Episcopal church, in the city of New-York," which was read the first time and by unanimous consent was also read a second time and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. Varnum asked for and obtained leave to bring in a bill entitled, "An act respecting the time of payment of drafts or bills of exchange drawn or made payable at sight," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. J. Benedict asked for and obtained leave to bring in a bill entitled, "An act authorising the Bainbridge and Lanesboro steamboat navigation company to improve the Susquehanna river," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the Chenango and Broome co. delegations.

In pursuance of previous notice, Mr. A. Smith asked for and obtained leave to introduce a bill entitled, "An act to confirm certain acts of the commissioners of highways of town of Chautauque, in the county of Chautauque," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Blackstone gave notice that he would, at an early day, ask leave to introduce a bill for the better security of mechanics and others erecting buildings and furnishing materials therefor in the city of New-York.

On motion of Mr. Le Roy,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the Comptroller be requested to communicate to this House, the name of each incorporated bank, banking association, and individual banker in this State, the capital stock of each, the amount of registered notes of each, the amount upon which each were taxed in 1850, and the amount of taxes paid by each in said year; to be reported in such form as to show the amount of each of the foregoing items, in each county separately; also the amount which

other corporations were assessed and taxed for 1850, in each county, to be reported in the same form.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Wooster moved to reconsider the resolution adopted yesterday in relation to the division of Wayne co.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wooster, and it was determined in the affirmative.

Mr. Speaker then announced the question to be on the resolution as adopted yesterday.

Mr. Le Roy moved to recommit to the committee on the erection and division of towns and counties.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Le Roy, and it was determined in the affirmative.

Mr. Schoonmaker and Mr. Stanton appeared as a select committee from the Senate, and announced the election of James M. Cook as President pro tempore of that body.

Mr. Burroughs called for the consideration of the resolution heretofore offered by him, in relation to the manual.

All the pending amendments were withdrawn by the movers thereof.

Mr. Moss moved to add after the word "procure," the words, "of the Secretary of State."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Moss, to amend and it was determined in the affirmative.

The resolution with the amendment was then read:

Resolved, That the Clerk of this House immediately procure of the Secretary of State, a copy of the manual, containing the rules of this House, for each of the members thereof, and a like copy for each of the officers and reporters, to be paid for out of the contingent fund.

Mr. Speaker put the question whether the House would agree to the said resolution, as amended, and it was determined in the affirmative.

On motion of Mr. Robinson,

Resolved, That the committee on public printing be requested to report forthwith, on the resolution authorising the printing of the report of the committee on colleges and academies.

Mr. Blackstone offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the committee on public printing be directed to report to this House at an early day, the expense of printing the agricultural books ordered by this House, and also the number of books ordered.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

A message from the Senate was received and read, informing that

they had concurred in the proposed joint rules of the Senate and Assembly, as adopted by the Assembly yesterday, with the following amendment: strike out of the 13th rule the words, "or by resolution of either House."

On motion of Mr. O. Allen,

Resolved, That this House do concur in said amendment.

Mr. Stevens gave notice that he would, at an early day, ask leave to introduce a bill entitled, "An act directing the sentence and confinement of certain criminals in the third and fifth judicial districts in the Albany and Onondaga county penitentiaries instead of a state prison.

Mr. Lyon gave notice that he would, at an early day, ask leave to introduce a bill declaring all streams throughout this State capable of floating logs, public highways.

Mr. Yeomans asked and obtained leave to bring in a bill entitled, "An act to authorise the clerk of Wayne co. to record a certain deed," which was read the first time and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Pardee offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the Clerk of this House be directed to take immediate measures to notify the public printers to suspend the printing of the Transactions of the State Ag. Society until the further order of this House.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. Pardee offered for the consideration of the House, a resolution, in the words following, to wit:

Resolved, That the standing committee on printing be directed to enquire into the expense of printing the Transactions of the State Ag. Society as ordered by this House, and report the same to the House.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

On motion of Mr. Tuthill,

The House proceeded to the consideration of the resolution heretofore offered by Mr. Robinson, in the words following, to wit:

Resolved, That a copy of the third edition of the R. S. be furnished by the Clerk to all such of the members of the last House as desire them, the same to be paid out of the contingent fund.

Mr. A. Smith moved to amend by inserting after the word "House," the words "as are members of the present House," which amendment was accepted by Mr. Robinson.

Mr. Pardee moved to amend by adding "provided they return them to the Assembly library at the close of the session."

Mr. Norton moved to lay the resolution and amendment on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Norton, and it was determined in the negative.

Mr. Campbell moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then announced the question to be the original resolution with the amendment accepted by the mover.

Mr. Speaker put the question whether the House would agree to the said resolution, as amended, and it was determined in the negative.

{ AYES 37 }
{ NOES 42 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	Hatch	Moss	A. Smith
Baker	G. Clark	Higby	J. L. Perry	E. T. Smith
Barnes	Coffin	Hinds	Robinson	Stewart
Belknap	Dennison	Lawyer	Rockwell	Stratton
J. Benedict	Dewey	Leggett	W. Russel	A. A. Thompson
Briggs	Farr	Lyon	Shall	Tuthill
Bushnell	W. S. Gregory	Maurice	Sherman	Wright
Cady	L. Harris			

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Those who voted in the negative are,

Anthon	Elderkin	Kellogg	Pool	Speaker
Bird	Ellwood	Langdon	Rouse	Townsend
Blackstone	Ferris	Le Roy	Rowe	Varnum
Bradley	Feller	Lesley	W. F. Russell	Ward
Burrongs	Gleason	Macomber	Sickles	Welden
Campbell	H. Harris	Norton	Stevens	Whiteside
J. F. Clark	Horton	Pardee	Stilwell	Wooster
Cooke	Ingersoll	E. Perry	Swords	Yeomans
Corser	Jayne			

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Mr. Speaker announced Mr. Moss as a member of the judiciary committee in place of Mr. J. Benedict, excused from further service.

Mr. Le Roy asked and obtained unanimous consent to bring in a bill entitled, "An act making appropriations for certain academies for the year 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

Mr. Robinson offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That on and after the 15th February this House meet at ten o'clock.

Ordered, That said resolution be laid upon the table.

On motion of Mr. H. J. Allen,
The House, at 2 o'clock, adjourned.

WEDNESDAY, FEBRUARY 12, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Halloway.

The minutes of yesterday were read and approved,

Mr. Kinsley presented the petition for placing a copy of Webster's quarto dictionary, unabridged, in each school district in this State, which was read and referred to the committee on colleges, academies and common schools.

Messrs. Feller, Ferris, Rockwell, Robinson, Atwood, and Leggett, severally, presented petitions in relation to the present free school law, which were read and referred to the committee of the whole on that subject.

Mr. O. Allen presented the petition of 206 laborers on the Erie canal enlargement, asking for relief to Jonas Ingraham, which was read and referred to the committee on claims.

Mr. O. C. Thompson presented the petition for the improvement of highways in the town of Greenbush, which was read and referred to the committee on roads and bridges.

Mr. Rouse presented the petition of stockholders of the Seneca plank road company, asking that plank roads be exempt from taxation, which was read and referred to the committee on roads and bridges.

Mr. Rockwell presented the remonstrance of 49 inhabitants of Schoharie co., against a division of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Belknap presented the petition of several inhabitants of New-York, in relation to the exemption of burying grounds from taxation, which was read and referred to the committee on the judiciary.

Mr. O. Allen presented the petition of Jonas Ingraham, for relief, which was read and referred to the committee on claims.

Mr. Rumsey presented the remonstrance of inhabitants of Butter-milk Falls, Orange county, against the renewal of a ferry charter to John Garrison, which was read and referred to the committee on commerce and navigation.

Mr. Bowne presented the petition of Henry R. Purdy, and 86 others, for ferry across the Hudson river, in the county of Putnam, to the west shore in Orange county, which was read and referred to the committee on commerce and navigation.

Mr. Bowne presented five petitions of John Garrison, and 350 others, for renewal of ferry charter across the Hudson river, in the town of Phillipstown, Putnam county, which were read and referred to the committee on commerce and navigation.

Mr. J. Benedict presented two petitions of settlers on lands purchased from Oneida Indians, for relief, which were read and referred to the committee on indian affairs.

Mr. Whiteside presented the remonstrance of citizens of Salem, Washington county, against par redemption of New-York or Albany, which was read and referred to the committee on banks and insurance companies.

Mr. Robinson presented the resolutions of supervisors of Dutchess co., for repeal of the law exempting manufacturing companies, from taxation, and for the general equalization of taxes, which was read and referred to the select committee on that subject.

Mr. Bird presented the petition of G. H. Derby & Co., asking that a book entitled, "Science of government," be placed in the common school libraries, which was read and referred to the committee on colleges, academies and common schools

Mr. Robinson presented the petition of supervisors of Dutchess co., for alteration of the election laws, which was read and referred to the committee on privileges and elections.

Mr. Welden presented the petition of sundry inhabitants, tax-payers of the town of Schroon, Essex co., to borrow money, which was read and referred to the committee on roads and bridges.

Mr. Gilbert presented the petition of citizens of Jefferson county, for repeal of so much of the plank road law, as exempts certain persons from the payment of tolls, which was read and referred to the committee on roads and bridges.

Mr. Stevens presented two petitions of E. W. Leavenworth, and 283 tax-payers of the county of Onondaga and Oswego, for a law authorising the Canal Commissioners to build a bridge over the Oneida river, at Caughdenog, which were read and referred to the committee on canals.

Mr. J. Benedict presented the petition of the Durhamville and Wood Creek plank road company, for leave to take toll at their gate, which was read and referred to the committee on roads and bridges.

Mr. H. Harris presented the memorial of the trustees of the university of Rochester, for an appropriation for the benefit of said university, which was read and referred to the committee on colleges, academies and common schools.

Mr. H. Harris presented the petition of merchants and others, of Albany, for a law compelling all banks and bankers to redeem their notes at par in the city of New-York, which was read and referred to the committee on banks and insurance companies.

Mr. Gilbert presented the petition of inhabitants of Jefferson co., relative to tolls on plank roads in said county, which was read and referred to the committee on roads and bridges.

Mr. Speaker announced the select committee on the petition of Elizabeth Jenkins: Messrs. Norton, Campbell, Congdon, Feller, and Dougherty.

Mr. Lesley, from the committee on roads and bridges, to which was referred the petition of the trustees of the Nyack turnpike, for the renewal of their charter, reported, and asked and obtained leave to bring in a bill entitled, "An act to renew the charter of the State road, from the Orange turnpike, to Nyack, in the county of Rockland," which

was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Varnum, from the committee on railroads, to which was referred the bill entitled, "An act to authorise the northern railroad co., to take stock in a railroad to Potsdam village, or to construct the same as a branch," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Norton, from the committee on printing, to which was referred the annual report of the State Engineer and Surveyor, reported for the consideration of the House, a resolution, in the words following, to wit:

Resolved, That ten times the usual number of copies of the annual report of the State Engineer and Surveyor, on the canals of the State of New-York, be printed for the use of the Legislature, and five hundred copies for the use of the department.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Norton, from the committee on printing, to which was referred the several reports and bills on the subject of free schools, reported that fifteen times the usual number of copies of the bills, and an equal number of each majority and minority report, be printed for the use of the Legislature, that the estimated cost of printing said report and bill is \$65.60, and offered the following resolution, to wit:

Resolved, Therefore, that the aforesaid number be printed.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. J. L. Peñry, from the committee on medical colleges and societies, to which was referred the petition of the faculty of Geneva medical college, for an annual appropriation of \$1000, reported adversely, and offer the following resolution, to wit:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Pardee moved that said resolution be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Pardee, and it was determined in the affirmative.

Mr. Townsend, from the committee on the judiciary, to which was referred a petition for the relief of Mary Louisa Powers, and to enable her and her trustees to sell, mortgage or convey her trust property, reported, and asked and obtained leave to bring in a bill entitled, "An act to enable Mary Louisa Powers and her trustee to sell and convey or to mortgage certain trust property," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend the code of procedure in relation to the jurisdiction of county courts," also, "An act to confer

civil jurisdiction upon the several county courts in the State of New-York," also. "An act to enlarge the jurisdiction of the county courts," also, the petition of the bar and others of Greene co., for enlarging the jurisdiction of county courts, asked to be discharged from the further consideration thereof, and that the same be referred to the select committee on the code.

Mr. Speaker put the question whether the House would agree to the said report, and it was determined in the affirmative.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend the act entitled, 'An act to amend the act in relation to the judiciary,'" reported that the committee had examined said bill, and had come to the conclusion that the same ought not to be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of Morris H. Cullen, for a change of his name, reported adversely, and offered the following resolution, to wit :

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act providing for the compensation of justices of the sessions in and for the county of Albany," reported in favor, and introduced a general bill entitled, "An act providing for compensation of justices of the sessions," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of Edward L. Coburn, for relief, reported from a majority of said committee, and asked and obtained leave to bring in a bill entitled, "An act for the relief of Edward L. Coburn," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. O. Allen, from the committee on canals, to which was referred the petition of the Buffalo and Black Rock railroad co., for relief, reported in writing, and asked and obtained leave to bring in a bill entitled, "An act for the relief of the Buffalo and Black Rock railroad co.," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Anthon, from the committee on two-third and three-fifth bills, to which was referred the bill entitled, "An act to provide for the election of a separate officer to perform the duties of the office of surrogate in certain counties," also the bill entitled, "An act for the relief of the devisees of Wm. Crowther," reported that the same were three-fifth bills.

Mr. Briggs moved to reconsider the vote on the final passage of the latter bill, which motion was laid on the table.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to provide for an additional justice of the peace in the town of Hector, in the county of Tompkins," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. E. Perry, from the select committee consisting of the Albany delegation, to which was referred the petition of the Mutual insurance co. of Albany, for an amendment of their charter, reported, and asked and obtained leave to bring in a bill entitled, "An act to amend an act passed May 3, 1836, entitled, 'An act to incorporate the Albany county mutual insurance company,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. W. S. Gregory, from the select committee, to which was referred the bill entitled, "An act for the relief of the survivors of the regiment of N. Y. volunteers, who served in the war with Mexico," reported that committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. L. Harris, from the select committee, to which was referred the bill entitled, "An act authorising the Bainbridge and Lanesboro' steamboat navigation company to improve the Susquehanna river," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Cady, from the select committee, to which was referred the petition for the repeal or modification of the laws regulating the rate of interest, reported in writing, and asked and obtained leave to bring in a bill entitled, "An act to amend title three, of chapter fourth, of part second, of the Revised Statutes, entitled, 'Of the interest of money,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(See Doc. No. 86.)

Mr. W. F. Russell, from the select committee consisting of the Ulster delegation, to which was referred the petition of citizens of Ulster county, for a change in part of the northerly boundary line, of the village of Ulster, reported, and asked and obtained leave to bring in a bill entitled, "An act to change in part the northerly bounds of the village of Ulster," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Blackstone presented the ninth annual report of the American Institute.

Mr. Blackstone offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That 30 times the usual number of copies of the ninth annual report of the American Institute, be printed; one thousand of which shall be for the use of said Institute, 1000 for the use of the State agricultural society, and 40 copies for each of the county agricultural societies in the State.

Ordered, That the said resolution be referred to the committee on printing.

Mr. Speaker laid before the House a communication from the Comptroller relating to the claim of John Wood, which was read and referred to the committee on claims.

On motion of Mr. Bird,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the printing and all action under the resolution of the House, in relation to the printing of the transactions of the New-York State agricultural Society, be suspended until the further orders of this House.

Mr. Burroughs moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

Mr. A. A. Thompson called for the consideration of joint resolutions heretofore offered by Mr. Graham, relating to slavery.

On motion of Mr. Varnum,

Ordered, That the said resolutions be laid upon the table.

In pursuance of previous notice, Mr. J. Benedict asked for and obtained leave to bring in a bill entitled, "An act to amend the act to authorise the business of banking," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

Mr. O. Allen offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the Canal Board transmit to this House, a copy of the report of the State Engineer and Surveyor, upon the lengthening of certain locks on the Erie canal, between Syracuse and Rochester.

Ordered, That said resolution be laid upon the table.

Mr. Speaker laid before the House, the report of the Canal Commissioners, in answer to a resolution of the Assembly, in the matter of the claim of Asa D Wood, which was read and referred to the committee on claims.

Mr. Ferris gave notice that he would at an early day, ask leave to introduce a bill to provide for the election of a United States Senator in the place of Daniel S. Dickinson, whose term of office will expire on the 4th of March next, and also to amend the Revised Statutes, relating to the election of United States Senator.

On motion of Mr. O. Allen,

Resolved, That the petition and papers connected therewith, presented to the Legislature, of the officers of the Buffalo medical college

be taken from the files of the House, and referred to the committee on medical colleges and societies.

Mr. Lyon offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the Surveyor General and State Engineer is hereby authorised to procure additional assistants to comply with a resolution of this House concerning the public lands, at a cost not exceeding three dollars per diem for the period during which they are employed.

Debate being had thereon,

Ordered, That the said resolution be laid upon the table.

Mr. Maurice gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the city of Williamsburgh.

Mr. Maurice gave notice that he would, at an early day, ask leave to introduce a bill in relation to the indictment and place of trial of nuisances.

On motion of Mr. Stevens,

Resolved, That Assembly bill No. 97, to authorise the Commissioners of the Land Office to sell certain lands belonging to the people of this State, situated in the city of Syracuse, and purchase other lands, be referred back to the committee on salt without losing its place on the general orders.

Mr. Hatch gave notice that he would, at an early day, ask leave to introduce a bill confirming the proceedings of a meeting of the Oswego county agricultural society, held at the village of New Haven, in said county, on the 4th day of Jan. last.

Mr. Bird offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the committee on printing be instructed to ascertain and report to this House the cost of printing, engraving and binding the report of the N. Y. State Ag. Society ordered by the last House, and the number of copies to which each member was entitled, and that the Clerk forthwith order the printing and all action under the resolution of this House ordering the printing of the last report, to be suspended until the further order of this House; also that the same committee ascertain the probable cost per volume of the report of this year.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Leave of absence was granted to Mr. Wooster for five days, Mr. Higby eight days, Messrs. Sickles, J. F. Clark and Bottum, one week.

In pursuance of previous notice, Mr. Stevens asked for and obtained leave to bring in a bill entitled, "An act directing the sentence and confinement of certain criminals in the third and fifth judicial districts in the Albany and Onondaga county penitentiaries instead of the state prisons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on state prisons.

On motion of Mr. E. Perry,

Resolved, That this House agree to the request asked by the military and citizens of Albany for the use of the Assembly chamber on

the 22d inst., for the purpose of celebrating as usual the birth day and memory of our beloved Washington.

The House then resolved itself into a committee of the whole on the bill entitled, as follows, to wit:

“An act to incorporate the New-York savings bank.”

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Maurice, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

On motion of Mr. Pardee,

The House, at 10 minutes before 2 o'clock, adjourned.

THURSDAY, FEBRUARY 13, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Doran.

The minutes of yesterday were read and approved,

Mr. Underwood presented two petitions of citizens of Cayuga co., for a law compelling the Syracuse and Rochester railroad to lay down a double track through Auburn, Geneva and Canandaigua, which was read and referred to the committee on railroads.

Mr. O. Allen presented the petition of the Buffalo orphan asylum, for an appropriation, which was read and referred to the committee on ways and means.

Mr. Atwood presented the petition of sundry inhabitants of Newstead, Erie co., for an appropriation to Genesee college, which was read and referred to the committee on colleges, academies and common schools.

Mr. Elderkin presented the resolution of the trustees of St. Lawrence academy, that a law be passed authorising them to increase their number of trustees to fifteen, which were read and referred to the committee of the whole on that subject.

Mr. Briggs presented the petition of 250 inhabitants of Westchester co.; Mr. Colvin, of 53 citizens of this State; Mr. Leggett, of sundry inhabitants of Saratoga co.; Mr. Smith, of citizens of Huntington, Suffolk co.; Mr. Lyon, of inhabitants of Lewis co.; Mr. Campbell, of 121 inhabitants of Otsego co.; Mr. Stilwell, of 41 citizens of Gouverneur, and Mr. Stratton, of 80 citizens of Sullivan co., in relation to the subject of common schools, which were read and referred to the committee of the whole on that subject.

Mr. Noble presented three several petitions of inhabitants of Warren county;; Mr. Bushnell presented two several petitions of inhabitants of Jefferson county;; Mr. Gilbert, presented two several petitions of inhabitants of Watertown, for the suppression of the liquor traffic, under adequate penalties, which were read and referred to the select committee on that subject.

Mr. A. A. Thompson presented the petition of school teachers of

Albany; Mr. J. Benedict presented the petition of Bloomfield J. Beach, and 54 others, that Webster's quarto, unabridged dictionary, be placed in the district school libraries throughout the State, which were read and referred to the committee on colleges, academies, and common schools.

Mr. Horton presented the petition of sundry inhabitants of Morley, St. Lawrence county, members of the Protestant Episcopal church society of that place, in relation to a lot of ground granted said society for religious purposes and learning, in the State of New-York, which was read and referred to the committee on the judiciary.

Mr. R. Babcock presented the petition of 200 citizens of Coeymans, in favor of general State tax, for the support of common schools throughout the State, which was read and referred to the committee of the whole on that subject.

Mr. Jayne presented the petition of 52 inhabitants of Branchport, Yates co., for a total repeal of the death penalty, and substituting in lieu thereof, imprisonment for life, at hard labor, which was read and referred to the select committee on that subject.

Mr. Moss presented the petition of 140 inhabitants of Lockport, Niagara county, to take from the board of education of said village, the power to raise any tax to support their high school or academy; to abolish the office of superintendent, and that the union school district may be so altered, as to allow the seven primary districts to organize as common school districts; and that the board of education cease to have any power over them, which was read and referred to the committee on colleges, academies and common schools.

Mr. A. A. Gregory presented the petition of citizens of the town of Burton, Cattaraugus co., for the change of name of said town, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. O. C. Thompson presented the petition of Varnum M. Babcock, for relief, which was read and referred to the committee on public lands.

Mr. Lyon presented the petition of sundry citizens of Jefferson co., for the equalization of taxation, which was read and referred to the select committee on that subject.

Mr. G. Clark presented the memorial of Willis Hall, for the change of name of Louisa Hoadley, and Montague Hoadley, minors, to Louisa Hoadley Hall, and Montague Hoadley Hall, which was read and referred to the committee on the judiciary.

Mr. Tuthill presented the petition of 102 legal voters of the village of Orient, Suffolk county, for the incorporation of the Orient wharf company, which was read and referred to a committee consisting of the Suffolk delegation.

Mr. E. Perry presented the petition of 105 citizens, asking for the passage of a law in relation to the village of Cohoes, said petition being accompanied with a bill, which was read and referred to a select committee consisting of the Albany delegation.

Mr. Corser presented the petition of Joseph Hall, and others, for

a law to authorise the depositors in the Rochester savings bank, to elect the trustees of said bank, which was read and referred to the committee on banks and insurance companies.

Mr. Lawyer presented the remonstrance of 200 inhabitants of Sharon, Schoharie county, against a division of said county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Pardee presented the petition of the board of supervisors of Ontario county, that the office of district attorney of said county, be made a salaried office, which was read and referred to the committee on the judiciary.

Mr. Corser presented the petition of citizens of Monroe, for a law in regard to the arrest and return of fugitives from labor, which was read and referred to the committee on the judiciary.

Mr. Pardee presented the petition of citizens of Ontario co. for an appropriation for the benefit of Genesee college, which was read and referred to the committee on colleges academies and common schools.

Mr. Rumsey presented the remonstrance of 72 inhabitants of Orange co., against the renewal of a ferry charter to John Garrison, which was read and referred to the committee on commerce and navigation.

Mr. Stilwell presented the petition of E. S. Beardsley, and 101 others, tax-payers of St. Lawrence county, against any increase of tolls on plank roads, which was read and referred to the committee on roads and bridges.

Mr. O. Allen presented the petition of Geo. H. Derby & Co., of Buffalo, that the library of Natural History, containing popular and scientific descriptions of man, quadrupeds, &c., compiled from the best authorities, be introduced into the district school libraries throughout the State, which was read and referred to the committee on colleges academies and common schools.

Mr. Le Roy presented the petition of the trustees of the 1st Presbyterian church of Britton settlement, for a change of name of said church, which was read and referred to the committee on charitable and religious societies.

Mr. Rumsey presented the petition of inhabitants of Montgomery, Orange co., for the incorporation of the Rural academy in said town, which was read and referred to the committee on colleges, academies and common schools.

Mr. Underwood presented the petition of citizens of Auburn, Cayuga co., for an appropriation to Geneva college with the Governor's recommendation, which was read and referred to the committee on ways and means.

Mr. Cady presented the petition of the board of directors of the Brooklyn dispensary, for an appropriation, which was read and referred to the committee on charitable and religious societies.

Mr. Gleason presented the remonstrance of 167 citizens of Stamford, Delaware co., against the erection of a new county out of parts of Greene, Schoharie and Delaware counties, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Lesley, from the committee on roads and bridges, to which was referred the bill entitled, "An act to authorise the Brabant plank road co. to construct their road three rods wide," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the petitions of citizens of Schroon to borrow money, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the commissioners of highways of the town of Schroon to borrow money," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the bill entitled, "An act to revive and extend the act to incorporate the Unadilla bridge company," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the petition of the Durhamville and Woodcreek plank road company, for leave to take toll at their gate, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the Durhamville and Woodcreek plank road co. to take toll at their gate," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the bill entitled, "An act to confirm certain acts of the commissioners of highways in the county of Chautauque," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the bill entitled, "An act to revise and extend an act authorise John Low and others to erect and maintain a rolling dam across the Susquehanna river," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the petition of sundry inhabitants of Greenbush, for the improvement of highways, reported, and asked and obtained leave to bring in a bill entitled, "An act relating to highways in the town of Greenbush," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Sherman, from the committee on claims, to which was referred the petition of James H. Hooker, for relief, reported, and asked and obtained leave to bring in a bill entitled, "An act to provide for the appraisal and payment of damages to Jas. H. Hooker," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. H. J. Allen, from the committee on commerce and navigation, to which was referred the bill from the Senate entitled, "An act to authorise the Utica globe mills co. to increase its capital stock," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. H. J. Allen, from the committee on commerce and navigation, to which was referred the bill from the Senate entitled, "An act to authorise the Utica steam woolen mills co. to increase its capital stock," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. H. J. Allen, from the committee on commerce and navigation, to which was recommitted the bill entitled, "An act for the licensing and government of the pilots of the port of New-York by the way of Sandy Hook," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. L. Harris, from the committee on militia and public defence, to which was referred the bill entitled, "An act to amend the militia laws of the State of New-York and in addition thereto," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to enable Enos Collins to take, hold and convey real estate in this State," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of sundry citizens of Frankfort, for increase of fire company in said village, reported adversely, and offered the following resolution, to wit :

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of wardens and vestry of St. Paul's church, of

Eastchester, to enclose the green in front of said church, reported, and asked and obtained leave to bring in a bill entitled, "An act authorising the wardens and vestry of St. Paul's church, Eastchester, to enclose the green in front of said church," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act respecting the time of payment of drafts or bills of exchange drawn or made payable at sight," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of sundry inhabitants of Newburgh, in relation to the exemption of burying grounds from taxation, reported, and asked to be discharged from the further consideration of the same, and that the same be referred to the committee on taxes and assessments, which report was agreed to.

Mr. Norton, from the committee on printing, to which was referred the resolution to print the annual report of the New-York institution for the instruction of the blind, reported for the consideration of the House, a resolution, in the words following, to wit:

Resolved, That five times the usual number of the report of the New-York institution for the blind, be printed for the use of the Legislature, 500 for the office of the Secretary of State, and 500 for the institution.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. J. Benedict, from the committee on the petitions of aliens, to which was referred the petition of the heirs of Peter Feviere, reported, and asked and obtained leave to bring in a bill entitled, "An act to enable Jean Baptiste Feviere, and others, to take, hold, and convey certain real estate," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. J. Benedict, in behalf of the majority of the committee on privileges and elections, to which was referred the petition of John Underwood, for a seat in this House, in the place of Samuel Jayne, jr., reported in writing.

Ordered, That said report be printed.

(See Doc. No. 55.)

Mr. Maurice, from the minority of the same committee, reported in writing.

Ordered, That said report be printed.

(See Doc. No. 55.)

Mr. Maurice, from the minority of the committee on the judiciary,

to which was referred the petition of Edward L. Ceburn, for relief, reported adversely; and offer the following resolution, to wit:

Resolved, That the prayer of the petitioners ought not to be granted.

Ordered, That said report be printed.

Mr. Lyon, from the committee on public lands, to which was referred the bill from the Senate, entitled, "An act to authorise the Comptroller to receive returns of certain unpaid taxes on non-resident lands, in the county of Jefferson, for the year 1848," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Lyon from the committee on public lands, to which was referred the bill entitled, "An act to authorise the Commissioners of the Land Office to sell and release certain property to Benjamin Baily," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Lyon, from the committee on public lands, to which was referred the petition of Jonathan Hasbrouck, for the re-sale of certain property to him, now in the possession of the State, known as "Washington's Head Quarters," reported in writing, and offered for the consideration of the House, the following resolution:

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Ward, from the committee on charitable and religious societies, to which was referred the bill entitled, "An act to incorporate the St. Patrick's literary and benevolent society, of the city of Oswego," reported that the committee had examined said bill, and had come to the conclusion that the same ought not to be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Ward, from the committee on charitable and religious societies, to which was referred the bill entitled, "An act to incorporate the ladies' union aid society, of the Methodist Episcopal church, in the city of New-York," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred so much of the Comptroller's, and Treasurer's reports, as relates to cancelled bank notes, reported the following preamble and joint resolution:

WHEREAS, A large number of packages containing a very great amount of notes of sundry banks of this State, are now remaining in the Treasury department, which notes have been heretofore, at different times counted, redeemed, and cancelled, by persons duly appointed for the purpose, and being now legally extinguished, are worthless and encumber the Department in which they are deposited; and whereas, the Comptroller and Treasurer have caused an inventory of the above mentioned to be made, showing the names of the several banks by which the said notes were respectively issued, the numbers of the said packages and the amount of notes they contain, and the dates when they were counted, redeemed and cancelled, as endorsed thereon by the persons employed for that purpose, which inventory has been placed on file in the Treasury Department; therefore,

Resolved, (If the Senate concur,) That the Comptroller and Treasurer of this State be, and they hereby are, authorised and directed to burn and wholly destroy the said notes and packages, or cause the same to be done by such person or persons as they may designate and appoint for the purpose, and that they make report to this Legislature of the amount of said notes and packages thus burned, and give the names of the several banks by which the same were originally issued.

Ordered, That said resolution be laid on the table and printed.

Mr. O. Allen, from the select committee, to which was referred the bill entitled, "An act to authorise the Buffalo gas light company to sell certain lands," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Speaker laid before the House a communication from the Governor and Secretary of State, in answer to a resolution of this House of Jan. 29th, in relation to the publication of the Documentary History of the State.

On motion of Mr. Varnum,

Ordered, That the said communication be printed.

Mr. Speaker laid before the House a communication from the Comptroller, in answer to a resolution of this House in relation to the claim of Campbell and Moody, which was read and referred to the committee on claims.

A message from the Senate was received and read, informing that they had passed, without amendment, the bills entitled as follows:

"An act to authorise the Albany and Schenectady railroad company to borrow money to pay outstanding bonds, and to complete its double track."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bills entitled as follows:

"An act to authorise the Governor to procure copies of the reports of the court of appeals for the purposes of exchange," which was read the first time and by unanimous consent was also read a second time and referred to the committee on the judiciary.

"An act to amend the act entitled, 'An act concerning passengers arriving at the ports of entry and landings in this State,' passed Dec. 10, 1847," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

"An act to amend the act entitled, "An act to amend the charter of the city of Troy, and to provide for the establishment of free schools in said city,' passed April 4, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

On motion of Mr. O. Allen,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the Canal Board transmit to this House a copy of the report of the State Engineer and Surveyor upon the lengthening of certain locks on the Erie canal between Syracuse and Rochester.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. O. Allen moved to reconsider the resolution granting the use of the Assembly chamber to certain military companies to celebrate Washington's birth-day, and after some discussion thereon, Mr. O. Allen withdrew the same.

Mr. A. A. Thompson called for the consideration of the joint resolution offered by him on the 1st inst. in relation to a United States Senator.

Mr. Tuthill moved the previous question.

Mr. Briggs moved to law the motion for the previous question on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Briggs, and it was determined in the affirmative.

{ AYES 48 }
{ NOES 36 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

O. Allen	Coffin	H. Harris	Moss	Stratton
Atwood	Colvin	L. Harris	Norton	Speaker
Baker	Cooke	Heath	Pardee	Townsend
Belknap	Corser	Hinds	Rouse	Tuthill
J. Benedict	Farr	Langdon	Rowe	Underwood
Bradley	Feller	Lawyer	Rumsey	Ward
Brayton	Fisk	Leggett	Sherman	Welden
Briggs	Gilbert	Le Roy	A. Smith	Whiteside
Chamberlin	Gleason	Lesley	Stevens	Yeomans
G. Clark	A. A. Gregory	Macomber		

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Those who voted in the negative are,

H. J. Allen	Dennison	Greene	E. Perry	E. T. Smith
Anthorn	Dewey	Hatch	Robinson	Stilwell
Barnes	Dougherty	Horton	Rockwell	Swords

Bird	Elderkin	Jayne	W. Russel.	A. A. Thompson
Blackstone	Ferris	Kinsley	W. F. Russell	O. C. Thompson
Bowne	Fitzhugh	Lyon	Ryan	Varnum
Cady	W. S. Gregory	Maurice	Shall	Wright
Davis				

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Mr. J. Benedict offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That this House will each day hereafter, until further order, take up the general orders of the day, at 12½ o'clock p. m., to the exclusion of all other business that may be then pending, except the third reading of bills, provided the general orders be not reached previous to that hour.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. Underwood gave notice that he would at an early day, ask leave to introduce a bill to authorise the consolidation of the several railroad companies between Schenectady and Buffalo.

In pursuance of previous notice, Mr. Hatch asked for and obtained leave to bring in a bill entitled, "An act to legalise the proceeding of a meeting of the Oswego county agricultural society, held at the village of New Haven, on the 4th of January last," which was read the first time and by unanimous consent was also read a second time, and referred to the committee on agriculture.

Mr. A. A. Thompson offered for the consideration of the House, resolutions in the words following, to wit :

Resolved, That William H. Seward's "higher law" doctrine, is a political as well as a religious heresy, because it is at war with the spirit of both human and divine authority.

Resolved, That since the State of New-York is seemingly pledged to the support of the "higher law heresy," it is due to the Union men of this House, as well as to the constituencies which they severally represent, that the judiciary committee report forthwith to this House, all resolutions now in their keeping, sustaining the national compromise measures, in order that the friends of the Union in this House may record their votes in favor of such measures.

Debate being had thereon,

Ordered, That the said resolutions be laid upon the table.

Mr. Rouse offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That for the purpose of enabling the members of this House to attend to their legitimate business of legislation during the usual daily sessions, the House will hereafter hold an evening session, commencing at 4 o'clock each day, for the special purpose of enabling all who desire the opportunity, to discuss matters of national politics, and to devise ways and means for the preservation of the Union.

Debate was had thereon,

Ordered, That said resolution be laid upon the table.

In pursuance of previous notice, Mr. Underwood asked for and obtained leave to bring in a bill entitled, "An act for the relief of Hotchkiss and Smith," which was read the first time, and by unani-

~~mons~~ consent was also read the second time, and referred to the committee on claims.

On motion of Mr. Lyon,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the Surveyor General and State Engineer is hereby authorised to procure additional assistants to comply with a resolution of this House concerning the public lands, at a cost not exceeding three dollars per diem for the period during which they are employed.

Mr. Lyon modified his resolution by adding the following words:

"Provided, the expense does not exceed \$500."

Mr. Elderkin moved to amend, by substituting "\$100," for "\$500," which was agreed to.

Mr. Speaker put the question whether the House would agree to the said resolution, as amended, and it was determined in the affirmative.

Mr. Pardee gave notice that he would at some future day, ask leave to bring in a bill, for the purpose of making the office of district attorney of the county of Ontario, a salaried office.

Mr. Fitzhugh gave notice that he would on some future day, ask leave to introduce a bill to amend the charter of the city of Rochester.

Mr. Colvin offered for the consideration of the House, a resolution, in the words following, to wit :

Resolved, That the Speaker appoint one additional member to the committee on state prisons.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

In pursuance of previous notice, Mr. Maurice asked for and obtained leave to bring in a bill entitled, "An act in relation to the indictment and place of trial of nuisances," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Maurice asked for and obtained leave to introduce a bill entitled, "An act to incorporate the city of Williamsburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee having charge of a former bill on that subject.

On motion of Mr. Dennison,

Resolved, That five times the usual number of the report of the committee on public lands on Washington's Head Quarters, be printed.

Mr. O. Allen offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That a committee be appointed, with power to send for persons and papers, to enquire into the doings of the Commissioners of Emigration, touching the disposal of the funds coming into their hands, and their reasons for withholding the portion which should be distributed to certain counties in this State.

Debate being had thereon,

Ordered, That the said resolution be laid upon the table.

Mr. Bird gave notice that he would at some future day, ask leave to introduce a bill to authorise the Lewiston railroad company, to extend its road to the landing, in the village of Youngstown.

Mr. G. Clark gave notice that he would at an early day, ask leave to introduce a bill to change the names of Louisa Hoadley, and Montague Hoadley, to Louisa Hoadley Hall, and Montague Hoadley Hall.

Mr. Bird called up his resolution offered yesterday, relative to the cost of printing reports of the New-York State agricultural society, and directing the suspension of such printing, until the further order of the House.

Mr. Burroughs moved to amend the resolution by striking out the second clause, and inserting after the third clause, the following:

"And that the chair appoint a committee of three members of this House, who shall examine and report whether the size of the report of the said society for the present year, may not be reduced without injury to the public interest," which amendment was agreed to by the House.

Mr. O. Allen moved to further amend the resolution, by adding the following words:

"Also to enquire whether the number of copies as ordered, may not be diminished," which amendment was agreed to.

Mr. A. Smith moved a further amendment, by adding the following words:

"And that the Clerk give directions to suspend the further printing of the report, until the further order of this House," which amendment was agreed to.

Mr. Robinson moved a further amendment, by adding the following words:

"And that the committee be instructed to report within three days;" which amendment was lost.

The resolution, with the amendments, was read in the words following, to wit:

Resolved, That the committee on printing be instructed to ascertain and report to this House the cost of printing, engraving and binding the report of the N. Y. State Ag. Society ordered by the last House, and the number of copies to which each member was entitled, also the probable cost per volume of the report of this year; and that the chair appoint a committee of three members of this House, who shall examine and report whether the size of the last mentioned report may not be reduced without injury to the public interest; also to enquire whether the number of copies as ordered printed, may not be diminished; and that the Clerk give directions to suspend the further printing of the report, until the further order of this House.

Mr. Speaker put the question whether the House would agree to the said resolution, as amended, and it was determined in the affirmative.

Mr. Speaker announced the select committee under the foregoing resolution: Messrs. Bird, Burroughs, and Varnum.

On motion of Mr. Brayton,

Resolved, That the report of the Commissioners of the Land office on the petition of W. E. and M. L. Worden, be referred to the committee on public lands.

A message from the Senate was received and read, informing that they had concurred in the amendments of the Assembly to the bill entitled, "An act in relation to railroad corporations."

Mr. W. S. Gregory offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the select committee having charge of the act to incorporate the city of Williamsburgh be increased by the addition of two members.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

On motion of Mr. Stilwell,

The House, at 10 minutes after 2 o'clock, adjourned.

FRIDAY, FEBRUARY 14, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Halloway.

The minutes of yesterday were read and approved,

Mr. Cooke presented three several remonstrances from citizens of Greene co., against any division thereof, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Varnum presented a memorial from the mayor, aldermen and commonalty of the city of New-York, for an act to remove certain papers relating to the city of New-York from the office of the clerk of the court of appeals to the office of the clerk of the supreme court of the city and county of New-York, which was read and referred to a select committee consisting of the New-York delegation.

Mr. J. Benedict presented the petition of J. Palmer and 200 others, for authority to fill up the old canal in the village of Oriskany, which was read and referred to the Canal Commissioners.

Mr. Coffin presented the remonstrance of 103 inhabitants of Otsego co., against the application of the Butternuts and Oxford turnpike co. for authority to abandon a part of their road, which was read and referred to the committee of the whole on that subject.

Mr. Coffin presented the petition of sundry inhabitants of Richfield, Otsego co., for a law for the protection of free citizens of this State, which was read and referred to the committee on the judiciary.

Mr. J. L. Perry presented the petition of Jno. Talmage, of Malta, Saratoga co, for relief, which was read and referred to the committee on grievances.

Mr. Southwick presented the memorial of S. D. Silliman and 68 others, for a law making it highly penal to assist in removing from

this State against his will any inhabitant thereof, which was read and referred to the committee on the judiciary.

Mr Ferris presented the petition of sundry inhabitants of Woodhull, Steuben co., that Addison be made a half shire-town of said co., which was read and referred to the committee of the whole when on the bill on that subject.

Mr. E. Perry presented three remonstrances of citizens of Cohoes, in relation to district schools in that village, which were read and referred to the committee on colleges, academies and common schools.

Mr. Yeomans presented the petition of 212 citizens of Wayne co., for a law to protect free citizens of this State, which was read and referred to the committee on the judiciary.

Mr. O. C. Thompson presented two petitions of sundry inhabitants of Rensselaer co., to stay the collection of rents in certain cases, which were read and referred to the select committee on that subject.

Mr. Snell presented the petition of sundry inhabitants of Fort Plain, for an amendment to their charter, which was read and referred to the committee on the incorporation of cities and villages.

Mr. J. Benedict presented the petition of stockholders of the Russia and North Gage plank road company, to borrow money and tax their road, which was read and referred to the committee on roads and bridges.

By unanimous consent,

Mr. J. Benedict asked for and obtained leave to bring in a bill entitled, "An act authorising the directors of the Russia and North Gage plank road company, to borrow money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Ferris presented the petition of sundry inhabitants of Tompkins co.; for the recharter of the Sodus canal company, which was read and referred to the committee of the whole on that subject.

Mr. R. Babcock presented the petition of citizens of Coeymans; Mr. A. A. Gregory, of citizens of Ellicottsville, and Mr. Cooke, of citizens of Greene co., that Webster's unabridged quarto dictionary, be placed in each of the school district libraries throughout the State, which were read and referred to the committee on colleges, academies and common schools

Mr. Fordyce presented the petition of citizens of Perinton, Monroe co.; Mr. O. Allen, two petitions of citizens of Greene co.; Mr. Bradley, of citizens of Cayuga co.; Mr. Southwick, of John Johnston, and 38 citizens of Seneca co., and Mr. Gilbert, of citizens of Jefferson co., for a law prohibiting the sale of intoxicating drinks, which were read and referred to the select committee on that subject.

Mr. Atwood presented the petition of sundry inhabitants of Akron village, Erie co., that the trustees thereof, may have power to regulate the sale of intoxicating drinks, which was read and referred to the select committee on that subject.

Mr. Pool presented the petition of Henry V. Berry, and 50 citi-

zens of Montgomery co.; Mr. Yeomans, of citizens of Macedon, Wayne co.; Mr. Atwood, of sundry inhabitants of Hamburg, Erie co.; Mr. Coffin, of citizens of Cooperstown, Otsego co., and Mr. Rumsey, of inhabitants of Blooming Grove, Orange co., in relation to free schools in this State, which were read and referred to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the petition of stockholders of the Seneca plank road co., asking that plank roads may be exempt from taxes, reported adversely, and offered the following resolution, to wit :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Lesley, from the committee on roads and bridges, to which was referred the Senate bill entitled, "An act to authorise the Butter-nuts and Oxford turnpike company, to abandon a part of their road," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the bill entitled, "An act in relation to highways," reported for the consideration of the House, a resolution, in the words following, to wit:

Resolved, That the committee be discharged from the further consideration of the said bill.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. O. Allen, from the committee on canals, to which was referred the petition of Amos W. Scribner, for relief, on account of a change of route of the canal, at Pendleton, Niagara county, reported, and offered for the consideration of the House, the following resolution:

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. O. Allen, from the committee on canals, to which was referred the petition of Davidson Morin, for relief for damages sustained by reason of raising the water of Crooked Lake canal, reported the following resolution, to wit :

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. O. Allen, from the committee on canals, to which was referred the petition of John D. Sexton, of the town of Big Flatts, in the county of Chemung, for damages sustained by reason of the raising of the water in the Chemung canal reported the following resolution, to wit :

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. O. Allen, from the committee on canals, to which was referred the petition of Joseph Low, of Big Flatts, Chemung co., asking for the construction of a bridge across the Chemung canal feeder, reported the following resolution, to wit :

Resolved, That the committee be discharged from the further consideration of said petition.

Mr. Speaker put the question whether the House would agree to the said resolution; and it was determined in the affirmative.

Mr. O. Allen, from the committee on canals, to which was referred the petitions of inhabitants of Onondaga and Oswego counties, asking that the Canal Commissioners be authorised to erect a bridge across the Oneida river at Caughdenoy, reported the following resolution, to wit :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred that part of the Governor's message which relates to banks and insurance companies, reported, and asked and obtained leave to bring in a bill entitled, "An act to establish and organize a bank department," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred the Senate bill entitled, "An act to amend the act entitled, 'An act to authorize the business of banking,' passed May 26, 1841," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Swords, from the committee on colleges, academies and common schools, to which was referred the bill entitled, "An act making appropriations for certain academies for the year 1850," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Ferris, from the committee on colleges, academies and common schools, to which was referred the Senate bill entitled, "An act to amend the act entitled, 'An act to amend the charter of the city of Troy, and to provide for the establishment of free schools in said city,' passed April 4, 1849," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to confirm the official acts of Torry J. Luce, a justice of the peace of the town of Hartwick, Otsego co.," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of inhabitants of the town of Milo, Yates co., for the passage of an act authorising the inhabitants of said town to raise money to build a bridge across the Crooked Lake outlet, reported the following resolution, to wit :

Resolved, That the petitioners have leave to withdraw their petition.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of the members of the bar of Greene co., for the passage of an act empowering the summoning of a grand jury in said co., reported the following resolution, to wit :

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Chamberlin, from the committee on grievances, to which was referred the petition of Charity Van Alstyne, for relief for canal damages, reported the following resolution, to wit :

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Chamberlin, from the committee on grievances, to which was referred the petition of David Lessie and John Keller for relief, reported the following resolution, to wit :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Chamberlin, from the committee on grievances, to which was referred the petition of John E. Van Epps, for damages sustained by leakage from the Erie canal, reported the following resolution, to wit :

Resolved, That the committee be discharged from the further consideration of said claim.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Ward, from the committee on charitable and religious societies, to which was referred the petition of the trustees of the First Presbyterian church, of Britton settlement, for a change of the name

of said church, reported; and asked and obtained leave to bring in a bill entitled, "An act to change the name of the First Presbyterian church, of Britton's settlement, in Onondaga county," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the petition of inhabitants of the town of Benton, Cattaraugus county, for the change of the name of said town, reported, and asked and obtained leave to bring in a bill entitled, "An act to change the name of the town of Benton," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. J. Benedict called for the reading of the reports in the case of John Underwood, a contestant for the seat of Samuel Jayne, jr., now sitting as a member from Yates co.

After some time spent in reading the same,

Mr. Burroughs moved to suspend the further reading.

Mr. Speaker put the question, and no quorum voted.

Mr. Burroughs moved to lay said motion on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, to lay on the table, and it was determined in the negative.

{ AYES 29 }
{ NOES 46 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Dennison	Lawyer	Robinson	Stilwell
R. Babcock	Dougherty	Leggett	Rockwell	Stratton
Barnes	Elderkin	Le Roy	Ryan	Swords
Burroughs	Ferris	Noble	Shall	O. C. Thompson
Coffin	Hatch	E. Perry	Snell	Wright
Colvin	Kinsley	Pool	Stewart	29

Those who voted in the negative are,

O. Allen	Chamberlin	A. A. Gregory	Miles	Speaker
Anthon	G. Clark	W. S. Gregory	Norton	Townsend
Atwood	Dewey	Greene	Pardee	Tuthill
Baker	Farr	H. Harris	Rouse	Underwood
Belknap	Feller	L. Harris	Rumsey	Varnum
J. Benedict	Fisk	Heath	Sherman	Ward
Bird	Fordyce	Hinds	A. Smith	Welden
Blackstone	Gilbert	Langdon	Southwick	Whiteside
Bradley	Gleason	Macomber	Stevens	Yeomans
Cady				46

Mr. Speaker then announced the question to be on suspending the reading of the reports.

Mr. Speaker put the question whether the House would agree to said motion to suspend the further reading, and it was determined in the negative.

The reports, both majority and minority, were then proceeded with for some time.

Mr. Varnum moved to lay on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Varnum, and it was determined in the affirmative.

Mr. Stevens, from the committee on the manufacture of salt, to which was recommitteed the bill entitled, "An act to authorise the Commissioners of the Land Office, to sell certain lands belonging to the people of this State, situated in the city of Syracuse, and purchase other lands," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Varnum, from the select committee consisting of the New-York delegation, to which was referred the memorial of the mayor, aldermen, and commonalty of the city of New-York, praying for the passage of an act for the removal of certain papers from the office of the clerk of the court of appeals, to the office of the clerk of the supreme court, of the city and county of New-York, reported, and asked and obtained leave to bring in a bill entitled, "An act to remove certain papers relating to the city of New-York, from the office of the clerk of the court of appeals, to the office of the clerk of the supreme court, of the city and county of New-York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Tuthill, from the select committee consisting of the Suffolk county delegation, to which was referred the petition of sundry inhabitants of Suffolk county, for the passage of an act incorporating the Orient wharf company, reported, and asked and obtained leave to bring in a bill entitled, "An act to incorporate the Orient wharf company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. O. Allen offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the annual report of the Commissioners of Emigration, be referred to a select committee of five.

Debate being had thereon,

Ordered, That the said resolution be laid upon the table.

A message from the Governor was received and read, informing that he had approved and signed the bills entitled as follows, to wit :

"An act in relation to railroad corporations."

"An act to authorise the Albany and Schenectady railroad company to borrow money, to pay outstanding bonds, and to complete its double track."

Mr. Speaker presented a communication from the Attorney Gen-

eral, in answer to the resolution of the House, asking his opinion on the claim of Maria Miller, which was read and referred to the committee on claims.

Mr. Bird asked to be and was excused from serving on the select committee ordered yesterday, in relation to the report of the State agricultural society.

The bill entitled, "An act to confirm the title of George Webber, to real estate, conveyed to him by James Chappell," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Colvin	L. Harris	Norton	Stevens
O. Allen	Davis	Hatch	Pardee	Stewart
Antho	Dennison	Heath	E. Perry	Stilwell
Atwood	Dewey	Hewit	Pool	Stratton
R. Babcock	Dougherty	Hinds	Robinson	Swords
Baker	Elderkin	Horton	Rockwell	Speaker
Barnes	Farr	Jayne	Rouse	A. A. Thompson
Belknap	Ferris	Kinsley	Rumsey	O. C. Thompson
J. Benedict	Feller	Langdon	W. Russell	Tutbill
Bird	Fisk	Leggett	W. F. Russell	Underwood
Brown	Fordyce	L. Roy	Ryan	Varnum
Bradley	Gilbert	Lesley	Shall	Ward
Burrongs	Gleason	Macomber	Sherman	Welden
Cady	A. A. Gregory	Miles	A. Smith	Whiteside
Chamberlin	W. S. Gregory	Moss	Snell	Wright
G. Clark	Greene	Noble	Southwick	Yeomans
Coffin	H. Harris			

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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to authorise the Buffalo water works co., to convey certain lands in the county of Erie," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Coffin	Greene	Noble	Stevens
O. Allen	Colvin	H. Harris	Pardee	Stewart
Antho	Davis	L. Harris	E. Perry	Stilwell
Atwood	Dennison	Hatch	Pool	Stratton
R. Babcock	Dewey	Heath	Robinson	Swords

Baker	Dougherty	Hinds	Rockwell	Speaker
Barnes	Elderkin	Horton	Rouse	A. A. Thompson
Belknap	Farr	Jayne	Rumsey	O. C. Thompson
J. Benedict	Ferris	Kinsley	W. Russell	Tuthill
Bird	Feller	Langdon	W. F. Russell	Underwood
Blackstone	Fisk	Leggett	Ryan	Varnum
Bradley	Fordyce	Le Roy	Shall	Ward
Burroughs	Gilbert	Lesley	Sherman	Welden
Cady	Gleason	Macomber	A. Smith	Whiteside
Chamberlin	A. A. Gregory	Miles	Shell	Wright
G. Clark	W. S. Gregory	Moss	Southwick	Yeomans 80

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act regulating the appraisal of church pews," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Coffin	H. Harris	Pardee	Stevens
O. Allen	Colvin	L. Harris	E. Perry	Stewart
Anthon	Davis	Hatch	Pool	Stillwell
Atwood	Dennison	Hinds	Robinson	Stratton
R. Babcock	Dewey	Horton	Rockwell	Swords
Baker	Dougherty	Jayne	Rouse	Speaker
Barnes	Elderkin	Kinsley	Rumsey	O. C. Thompson
Belknap	Farr	Langdon	W. Russell	Tuthill
J. Benedict	Ferris	Leggett	W. F. Russell	Underwood
Bird	Feller	Le Roy	Ryan	Varnum
Blackstone	Fisk	Lesley	Shall	Ward
Bowne	Fordyce	Macomber	Sherman	Welden
Bradley	Gleason	Miles	A. Smith	Whiteside
Cady	A. A. Gregory	Moss	Shell	Wright
Chamberlin	W. S. Gregory	Noble	Southwick	Yeomans
G. Clark	Greene			77

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Elderkin gave notice that he would, at some early day, ask leave to introduce a bill to provide for laying out and constructing a road from the town of Colton, in St. Lawrence co., to the town of Long Lake, in Hamilton co.

Mr. Varnum was, on motion, excused from further service on the select committee appointed yesterday in reference to the report of the State Ag. Society.

Mr. Speaker announced the following as members of the select ordered yesterday in relation to the report of the State Ag. Society, in place of Mr. Bird and Mr. Varnum, excused: Messrs. Baker and Atwood.

Leave of absence was granted to Mr. A. A. Thompson, Mr. Bushnell, Mr. Rowe, each four days.

On motion of Mr. O. Allen,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the annual report of the Commissioners of Emigration be referred to a select committee of five.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. Baker,

The House proceeded to the consideration of the resolution heretofore offered by Mr. W. S. Gregory, in the words following, to wit :

Resolved, That the select committee having charge of the act to incorporate the city of Williamsburgh be increased by the addition of two members.

Mr. Baker moved to amend by substituting "four" instead of two members of said committee, which amendment was accepted by the mover.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Baker moved that this order of business be suspended.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Baker, and it was determined in the negative.

On motion of Mr. L. Harris,

Resolved, That five times the usual number of the report and bill of the committee on militia and public defence be printed for the use of the Legislature.

In pursuance of previous notice, Mr. Anthon asked for and obtained leave to bring in a bill entitled, "An act to effectuate certain conveyances for charitable and religious purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Pardee asked for and obtained leave to introduce a bill entitled, "An act to regulate the salary of the district attorney of the county of Ontario," which was read the first time and by unanimous consent was also read a second time and referred to the committee on the judiciary.

By unanimous consent,

Mr. H. Harris asked and obtained leave to bring in a bill entitled, "An act to amend an act to provide for the assessment and collection of taxes in the city of Albany," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Townsend asked for and obtained leave to introduce a bill entitled, "An act to amend an act entitled, 'An act to amend and consolidate the several acts relating to the city of Rochester,' passed April 10, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the Monroe county delegation.

In pursuance of previous notice, Mr. G. Clark asked for and obtained leave to bring in a bill entitled, "An act to change the name of Louisa Hoadley, and Montague Hoadley, to Louisa Hoadley Hall and Montague Hoadley Hall," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Colvin,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the Speaker appoint one additional member to the committee on state prisons.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

On motion of Mr. Colvin,

Resolved, That the petition of Augustus Stockwell, be referred to the committee on claims.

The Speaker having announced the order to be unfinished business,

Mr. J. Benedict moved to suspend this order of business.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. J. Benedict, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole on the bills entitled, as follows, to wit:

"An act for the relief of Eleazer Hills."

"An act to authorise the appraisal and payment of canal damages to James Woodward."

"An act to authorise the appraisal and payment of canal damages to Ebenezer Humphrey."

And after some time spent thereon, Mr. Speaker resumed the chair and Mr. Moss, from said committee, reported, that they had gone through said bills, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bills be engrossed for a third reading.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to provide for the representation of the State of New-York in the World's Industrial Exhibition at London."

"An act for the relief of Thomas J. Strong and George W. Cheney."

"An act to amend an act entitled, 'An act to incorporate the Saugerties and Woodstock turnpike road company,' passed April 21, 1828, and to authorise such company to abandon a portion of their road."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Fordyce, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

Mr. Fordyce, from said committee, reported progress on said two last mentioned bills, and asked and obtained leave to sit again.

By unanimous consent,

Mr. Whiteside gave notice that he would move for the reconsideration of the motion offered by Mr. Colvin, in regard to the appointment of an additional member upon the committee upon state prisons.

Mr. Speaker announced the following additional members of the select committee having charge of the bill to incorporate the village of Williamburgh: Messrs. W. S. Gregory, Tuthill, Coffin, H. Harris.

On motion of Mr. Burroughs,

Resolved, That the committee on claims be discharged from the further consideration of the report of the Attorney General on the claim of Maria Miller, and that it be referred to the committee on canals.

On motion of Mr. Feller,

The House, at 10 minutes after 2 o'clock, adjourned.

SATURDAY, FEBRUARY 15, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Doran.

The minutes of yesterday were read and approved,

Mr. Fordyce presented three several petitions, signed by 159 citizens of Monroe co., praying for an alteration of the charter of the city of Rochester in relation to the sale of fresh meat, which were read and referred to the committee on the incorporation of cities and villages.

Mr. Yeomans presented two petitions of citizens of Wayne co., for the prohibition of the sale of intoxicating drinks, which were read and referred to the select committee on that subject.

Mr. Miles presented the petition of sundry citizens of Steuben co., for the repeal of the free school law, which was read and referred to the committee of the whole when on the bill on that subject.

Mr. Snell presented the petition of John Bowditch and others, for the repeal of all laws which affix to the crime of murder the penalty of death, which was read and referred to the select committee on that subject.

Mr. Rumsey presented a remonstrance from citizens of Putnam co., against the renewal of a ferry charter to John Garrison, which was read and referred to the committee on commerce and navigation.

Mr. Le Roy presented four several petitions of citizens of Onondaga and Oswego counties, for a law to authorise the Canal Commissioners to take charge of the draw in the bridge over Cneida river at Oak Orchard, which were read and referred to the committee of the whole when on the bill upon that subject.

Mr. Bowne presented the petition of John Garrison, and 50 others, for the renewal of his charter for ferry across the Hudson river, which was read and referred to the committee on commerce and navigation.

Mr. A. Smith presented the petition of members of the bar, and other citizens of Chautauque co., for a law making the office of district attorney a salaried office, which was read and referred to the committee on the judiciary.

Mr. Snell presented the petition of Charles Hubbs, and 94 others, for the passage of a law restraining the collection of rents during the pendency of certain suits, which was read and referred to the select committee on that subject.

Mr. A. Smith presented the petition of William Peacock, of Mayville, Chautauque county, for a law authorising the Canal Commissioners to build at the expense of this State, a bridge across the Erie canal at the foot of Mechanic street, in Buffalo, in the place of one built there by petitioner, and destroyed by the State, which was read and referred to the committee on canals.

Mr. Humphrey presented the petition of 80 inhabitants of Wyoming co., for a law making it highly penal for any one to aid directly or indirectly, in removing from this State, against his will, any inhabitant thereof, unless the person so removed be arrested upon a requisition of the Governor of some other State, and is surrendered by the Governor of this State, which was read and referred to the committee on the judiciary.

Mr. Yeomans presented a petition on the same subject from citizens of Williamson, Wayne co, which was read and referred to the committee on the judiciary.

Mr. H. Harris presented a memorial of citizens of Albany, for prohibition of tin pedlars, which was read and referred to the committee on trade and manufactures.

Mr. Gleason presented three petitions of 183 citizens of Delaware county, for a law authorising the collection of rents in certain cases, which were read and referred to the select committee on that subject.

Mr. Feller presented the petition of citizens of Dutchess co., for a law giving to persons claimed as fugitives from service or labor, a trial by jury, which was read and referred to the committee on the judiciary.

Mr. Speaker announced the select committee on the report of the Commissioners of Emigration: Messrs. O. Allen, Wakeman, Corser, H. J. Allen, and Horton.

A communication was received from the trustees of the State Library, inviting the Legislature to visit the library rooms from 12 to 3 p. m., to-day, to inspect the engraving, &c.

Mr. Varnum moved to accept the invitation, and that the House adjourn at 1 o'clock.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Varnum, and it was determined in the affirmative.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled, as follows, to wit:

"An act to incorporate the Niagara county savings bank."

"An act to incorporate the Central city savings bank."

"An act to provide for the representation of the State of New-York in the World's Industrial Exhibition at London."

"An act to authorise the appraisal and payment of canal damages to Ebenezer Humphrey."

"An act to authorise the appraisal and payment of canal damages to James Woodward."

"An act for the relief of Eleazer Hills."

Ordered, That said bills be read the third time.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of sundry citizens of the village of Morley, St. Lawrence co., in relation to a lot of land granted to the Protestant Episcopal society, of that village, reported the following resolution, to wit :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of the board of supervisors of the co. of Ontario, praying that the office of district attorney of that county may be made a salaried office, reported the following resolution, to wit :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Pardee moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Pardee, and it was determined in the affirmative.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of several inhabitants of Newburgh, in relation to the exemption of burying grounds, from taxation, reported the following resolution, to wit :

Resolved, That the committee on the judiciary be discharged from the further consideration of said petition, and that it be referred to the select committee on assessments and taxation.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Varnum presented the memorial of the mayor, aldermen, and commonalty of the city of New-York, for the passage of an act to alter the plan or map of the city of New-York, by extending Washington st., in said city, from its present termination, at Gansevoort st., to 12th st., which was read and referred to a select committee consisting of the N. Y. delegation.

The remonstrance of the chamber of commerce of the city of New-York, against the passage of any law for the regulation of the

pilots of the port of New-York, was read and referred to the committee of the whole having charge of that subject.

Mr. Lesley, from the committee on roads and bridges, to which was referred the bill entitled, "An act authorising the directors of the Russia and North Gage plank road company, to borrow money," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Swords, from the committee on colleges, academies and common schools, to which was referred the memorial of the trustees of the University of Rochester, for an appropriation for the benefit of said university, reported, and asked and obtained leave to bring in a bill entitled, "An act to aid the University of Rochester."

On motion of Mr. Swords,

Resolved, That the usual number of the memorial of the trustees of the University of Rochester asking for an appropriation for the benefit of said university, be printed.

Mr. Hatch, from the committee on claims, to which was referred the petition of Dorcas Page, for an amount due her father for revolutionary services, reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of the heirs or legal representatives of the late Capt. John Wood," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred the petition of V. W. Smith and others, of Syracuse, for the passage of a law incorporating the Onondaga co. savings bank, reported, and obtained leave to bring in a bill entitled, "An act to incorporate the Onondaga county savings bank," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred the bill entitled, "An act to incorporate the Dutchess co. savings bank," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred the bill entitled, "An act to amend an act to incorporate the Oneida co. mutual insurance company," reported that the committee had examined said bill, and had come to the conclusion that the same ought not to be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred the bill entitled, "An act to incorporate the Western Savings bank at Buffalo," reported that the committee

had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred the memorial of certain insurance companies, in relation to a change in the insurance laws, reported, and asked and obtained leave to bring in a bill entitled, "An act to amend an act to provide for the incorporation of insurance companies, passed April 10, 1849, and declaratory of the fifth section thereof," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred the bill entitled, "An act to amend the act entitled, 'An act to authorise the business of banking,'" reported the same for the consideration of the House.

Ordered, That the said bill be committed to the committee of the whole.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bills entitled as follows :

"An act to legalise the proceedings of the trustees of school district No. 17 (formerly No. 33,) of the town of Fishkill, and to authorise the present trustees to raise money to pay certain debts and expenses," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the Dutchess county delegation.

"An act to supply the Black River canal and the Black river with water by draining the lakes on Black, Moose, and Beaver rivers," which was read the first time and by unanimous consent was also read a second time, and referred to the committee on canals.

Mr. Varnum, from the select consisting of the New-York delegation, to which was referred the memorial of the mayor, aldermen, &c., of the city of New-York, for the passage of an act to alter the map of said city, reported, and asked and obtained leave to bring in a bill entitled, "An act to alter the plan or map of the city of New-York by extending Washington-street, in said city, from its present termination at Gansevoort-st. to 12th-st.," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

The bill entitled, "An act to provide for the representation of the State of New-York in the World's Industrial Exhibition at London," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{	AYES	69	}
{	NOES	00	}

Those who voted in the affirmative are,

H. J. Allen	Davis	L. Harris	Moss	Stevens
Anthon	Dennison	Hatch	Noble	Stewart
Atwood	Dewey	Heath	Pardee	Stilwell
Baker	Dougherty	Hinds	E. Perry	Stratton
Belknap	Douglasa	Horton	Pool	Swords
J. Benedict	Elderkin	Humphrey	Robinson	Speaker
Blackstone	Farr	Jayne	Rockwell	O. C. Thompson
Bradley	Fordyce	Kinsley	Rouse	Townsend
Burronghs	Gilbert	Langdon	Rumsey	Tuthill
Campbell	Gleason	Leggett	W. F. Russell	Underwood
Chamberlin	A. A. Gregory	Le Roy	Ryan	Ward
G. Clark	W. S. Gregory	Lesley	Shall	Whiteside
Coffin	Greene	Macomber	A. Smith	Yeomans
Cooke	H. Harris	Miles	Southwick	

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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

On motion of Mr. H. Harris, and by unanimous consent,

The House then resolved itself into a committee of the whole, on the bill entitled, as follows, to wit:

‘ An act to secure for this State, an agent at the world’s fair, of 1851, who shall receive a sufficient remuneration.’

And after some time spent thereon, Mr. Speaker resumed the chair and Mr. Rouse, from said committee, reported, that they had gone through said bill, and agreed to the same with an amendment.

Mr. Elderkin moved to amend said bill, by striking out the first line, and inserting, “Benjamin P. Johnson is hereby appointed an agent;” and to add to sec. one, “in case of his inability to attend such exhibition, the Governor shall appoint some person to fill such vacancy.”

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, to amend and it was determined in the negative.

{ AYES 25 }
{ NOES 44 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Coffin	Hatch	Noble	Snell
Anthon	Colvin	Horton	E. Perry	Stilwell
Barnes	Davis	Jayne	Robinson	Stratton
Bowne	Dougherty	Kinsley	Rockwell	O. C. Thompson
Burroughs	Elderkin	Le Roy	W. F. Russell	Wright

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Those who voted in the negative are,

O. Allen	Feller	Heath	Pardee	Townsend
Atwood	Fisk	Hinds	Rouse	Tuthill
Belknap	Fordyce	Humphrey	Rumsey	Underwood
J. Benedict	Gilbert	Langdon	Ryan	Varnum
Blackstone	Gleason	Leggett	A. Smith	Ward
Chamberlin	A. A. Gregory	Lesley	Southwick	Welden

G. Clark	W. S. Gregory	Macomber	Stevens	Whiteside	
Farr	Greene	Miles	Swords	Yeomans	
Ferris	H. Harris	Moss	Speaker		44

Mr. Speaker then put the question whether the House would agree to the report of the said committee, and it was determined in the affirmative.

Ordered, That said bill be engrossed for a third reading.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bills entitled as follows:

"An act to amend an act entitled, 'An act to authorise the appointment of commissioners to take proof and acknowledgments of deeds and other instruments, and to administer oaths in other States and territories,' passed April 10, 1850," which was read the first time and by unanimous consent was also read a second time and referred to the committee on the judiciary.

"An act to confirm the title of Thomas Martin, Lawrence Martin, Bridget Martin, and the Roman Catholic society, in the town of Newport, to certain lands, devised by Patrick Martin," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act relative to Freeman's bridge company, in the county of Schenectady," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

On motion of Mr. O. Allen,

Resolved, That the bill entitled, "An act to incorporate the western savings bank, at Buffalo," be recommitted to the committee on banks and insurance companies.

A message from the Senate was received and read, informing that they had passed, with an amendment, the bill entitled as follows:

"An act for the relief of the Shinecock Indians."

Mr. Speaker put the question, and no quorum voting, it was passed over informally.

Mr. Robinson, from the select committee consisting of the Dutchess county delegation, to which was referred the bill entitled, "An act to legalize the proceedings of the trustees of school district No. 17, (formerly No. 33,) of the town of Fishkill, and to authorise the present trustees to raise money to pay certain debts and expenses," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Elderkin asked for and obtained leave to bring in a bill entitled, "An act to provide for the laying out and constructing the Colton and Long lake road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Atwood gave notice that he would, at some future day, ask

leave to introduce a bill to abolish the payment of tolls on freight transported upon all railroads in this State.

In pursuance of previous notice, Mr. A. Smith asked for and obtained leave to introduce a bill entitled, "An act to authorise the board of supervisors of the several counties in the State to regulate the salaries or compensation of county clerks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Underwood moved to reconsider the resolution adopted this morning in relation to adjourning.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Underwood, and it was determined in the affirmative.

Mr. Underwood moved to amend said resolution by inserting after the words one o'clock, "fifteen minutes past."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Underwood, and it was determined in the affirmative.

Mr. Underwood moved to reconsider the vote of yesterday on Mr. Colvin's resolution to appoint an additional member to the committee on state prisons.

Mr. Pardee moved to lay the motion to reconsider on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Pardee, and it was determined in the affirmative.

Mr. Elderkin offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the resolution authorising the committee on state prisons to visit the prison at Sing Sing be and the same is hereby rescinded.

Mr. Speaker put the question, and no quorum voting,

Mr. Macomber moved to adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Macomber, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

{ AYES 35 }
{ NOES 32 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Atwood	Davis	Jayne	Pool	Stevens
Barnes	Dougherty	Kinsley	Robinson	Stillwell
Belknap	Elderkin	Le Roy	Rumsey	Stratton
Blackstone	Feller	Miles	W. F. Russell	Speaker
Bowne	Fordyce	Moss	Ryan	O. C. Thompson
Burroughs	Gilbert	Noble	Snell	Wright
Chamberlin	Heath	Norton	Southwick	Yeomans

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Those who voted in the negative are,

H. J. Allen	Douglass	L. Harris	Macomber	Townsend
O. Allen	Farr	Hinds	Pardee	Tuthill
Anthon	Fisk	Humphrey	E. Perry	Underwood
R. Babcock	Gleason	Langdon	Rockwell	Varnum
G. Clark	W. S. Gregory	Leggett	Rouse	Ward
Colvin	Greene	Lesley	A. Smith	Whiteside
Dewey	H. Harris			

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**On motion of Mr. Blackstone,
The House, at five minutes past one o'clock, adjourned.**

MONDAY, FEBRUARY 17, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The minutes of Saturday were read and approved.

Mr. Coffin presented the petition of David Russell and 200 legal voters of the town of Otsego, in the county of Otsego, praying for the passage of a law to protect the free citizens of this State from unlawful arrest or removal, which was read and referred to the committee on the judiciary.

Mr. Hatch presented the petition of 54 citizens of Oswego, asking for the abolition of the recorder's court of that city, which was read and referred to the committee on the judiciary.

Mr. Fordyce presented the petition of James Talmage and others, inhabitants of Henrietta, in the county of Monroe, for an alteration of the charter of the city of Rochester in relation to the sale of fresh meat, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Townsend presented the petition of Rev. Bethel Judd, for relief from overflowing of his lands, which was read and referred to the committee on canals.

Mr. Atwood presented the petition of sundry inhabitants of the State of New-York, praying for reduction of tolls on all railroads, which was read and referred to the committee on canals.

Mr. Horton presented the petition of inhabitants of Brasher, St. Lawrence co., remonstrating against any alteration of the present law in relation to redemption of bank notes, which was read and referred to the committee on banks and insurance companies.

Mr. Lesley presented the petition of citizens of Troy, for the establishment of a public hospital or infirmary in said city, to be called the Marshall infirmary of the city of Troy, which was read and referred to the committee on charitable and religious societies.

Mr. Le Roy presented the petition of the trustees of the Syracuse Odd Fellows' hall association, for an act of incorporation, which was

read and referred to the committee on charitable and religious societies.

Mr. Russell presented the petition of John S. Van Schaick and others for relief, which was read and referred to the committee on grievances.

Mr. Miles presented the petition of inhabitants of the town of Addison, Steuben co., asking an appropriation to the Genesee college, which was read and referred to the committee on colleges, academies and common schools.

Mr. Miles presented the petition of 63 tax payers of the town of Cameron, Steuben co., praying the passage of a law making the town of Addison a half shire-town, which was read and referred to the committee of the whole when on the bill on that subject.

Mr. Underwood presented the petition of Abijah Fitch, Thomas M. Hunt and Henry H. Covely, assignees of Hotchkiss & Smith, for relief, which was read and referred to the committee on claims.

Mr. Wheeler presented the petition of sundry inhabitants of the county of Franklin, for the passage of a law prohibiting the sale of intoxicating drinks as a beverage, which was read and referred to the select committee on that subject.

Mr. H. J. Allen presented the petition of citizens of New-York, in favor of the pilot law, which was read and referred to the committee of the whole when on the bill upon that subject.

Mr. J. Benedict presented the petition of B. W. Babcock, G. R. Waldron and 60 others, citizens of Madison co., for the passage of the freeman's law, which was read and referred to the committee on the judiciary.

Mr. Rumsey presented the remonstrance of 130 inhabitants of Orange co., against the renewal of a ferry charter to John Garrison, which was read and referred to the committee on commerce and navigation.

Mr. Douglass presented the petition of the supervisors and commissioners of highways of Hanover, Chautauque co., and Brandt, Erie co., for a law to raise money by tax upon the counties of Erie and Chautauque to build a bridge over Cattaraugus creek, which was read and referred to the select committee on that subject.

Mr. O. Allen presented the petition of citizens of Buffalo, praying for an amendment of the lien law, so far as relates to the city of Buffalo, which was read and referred to a select committee consisting of Erie county delegation.

Mr. Gleason presented the petition of 159 citizens of Delaware co., for a law authorising the stay of the collection of rents in certain cases, and for other relief, which was read and referred to the select committee on that subject.

Mr. Southwick presented the petition of Charles Willson, and 90 others, of Seneca co., praying for the unconditional repeal of the free school law, that the public and local funds be first applied to the education of the indigent, and the remainder if any, on rate bill, which was read and referred to the committee of the whole, when on that subject.

Mr. Robinson presented the petition of inhabitants of Fishkill, Dutchess county, praying for the repeal of the free school law, which was read and referred to the committee of the whole on that subject.

Mr. Burroughs presented the petition of 200 citizens of Kendall, Orleans co., for a law abolishing the free school law, and for a State tax to support schools, which was read and referred to the committee of the whole on that subject.

Mr. Campbell presented the petition of A. D. Williams, and 132 others, citizens of Otsego county, for a modification of the free school law, which was read and referred to the committee of the whole on that subject.

Mr. Moss presented the petition of 40 citizens of Niagara county, asking the Legislature to prohibit the sale of intoxicating drinks, under penalty of fine and imprisonment, which was read and referred to the select committee on that subject.

Mr. Smith presented four several petitions of inhabitants of Suffolk, for the repeal of the new school law, which was read and referred to the committee of the whole on that subject.

Mr. Hinds presented the petition of 60 inhabitants of the town of Barker, Broome county, for the repeal of the free school law, which was read and referred to the committee of the whole on that subject.

Mr. Hinds presented the petition of 30 inhabitants of the town of Barker, Broome county, for the repeal of the new school law, which was read and referred to the committee of the whole on that subject.

Mr. A. Smith presented the petition of 190 citizens of Chautauque county, for a law prohibiting the sale of intoxicating drinks, which was read and referred to the select committee on that subject.

Mr. Wheeler presented the petition of sundry inhabitants of Franklin county, for aid in constructing a bridge in said county, which was read and referred to the committee on roads and bridges.

Mr. Hewit presented the petition and affidavits of H. K. Averill, William Harvey, and J. M. Bailey, citizens of Cadyville, Clinton co., for a law to reimburse them for the erection of buildings on State lands, which were read and referred to the committee on claims.

Mr. Hewit presented the petition of citizens of Clinton county, for the repeal of the new school law, and the re-enacting of the old one, with sundry amendments, which was read and referred to the committee of the whole on that subject.

Mr. Le Roy presented the petition of 100 citizens of the first ward of the city of Syracuse, for the passage of a law to prohibit the sale of intoxicating drinks, which was read and referred to the select committee on that subject.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

‘An act to secure for this State, an agent at the world’s fair, of 1851, who shall receive a sufficient remuneration.’

Ordered, That said bill be read a third time.

Mr. Lesley, from the committee on roads and bridges, to which was referred the bill entitled, "An act to provide for the laying out and constructing the Colton Long Lake road," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the bill entitled, "An act relative to Freeman's bridge company, in the county of Schenectady," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. A. A. Gregory, from the committee on indian affairs, to which was referred the several petitions of settlers upon lands purchased by the State, of the Oneida Indians, reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of certain purchasers of lands in the follow purchases: from the Oneida Indians, viz: the purchase of 1824, 1826, 1830, 1834, the first Oneida purchase of 1829, and the Cowasselon tract," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Varnum, from the committee on railroads, to which was referred the bill entitled, "An act to compel the Syracuse and Rochester railroad company to construct a double track to their line of railroad passing through Auburn, Seneca Falls, Waterloo, Geneva, and Canandaigua," reported the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Varnum, from the committee on railroads, to which was referred the petition of 57 citizens of Auburn, Cayuga county, to change the route of the Rochester and Syracuse railroad company, through the city of Auburn, reported the following resolution:

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Underwood moved to refer the petition and resolution to the committee of the whole.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Underwood, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Rouse, from the committee on the incorporation of cities and villages, to which referred the bill entitled, "An act to amend an act to provide for the assessment and collection of taxes in the city of Albany," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to confirm the title of Thomas Martin, Lawrence Martin, Bridget Martin, and the Roman Catholic society, in the town of Newport, to certain lands, devised by Patrick Martin," reported that the committee had examined said bill, and had come to the conclusion that the same ought not to be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of members of the bar, and other citizens of Chautauque county, for the passage of a law making the office of district attorney a salaried office, reported the following resolution:

Resolved, That the committee be discharged from the further consideration of the subject.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Chamberlin, from the committee on grievances, to which was referred the petition of Shuler Cady, and others, for canal damages, reported, and asked and obtained leave to bring in a bill entitled, "An act authorising the appraisal and payment of certain damages arising from the erection of the Erie canal aqueduct, across the Chuctenunda creek, in the town of Florida, Montgomery county," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Burroughs, from the committee on colleges, academies and common schools, to which was referred sundry petitions for an appropriation to Genesee college, reported, and asked and obtained leave to bring in a bill entitled, "An act to aid Genesee college," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Speaker having announced the next order of business to be third reading of bills,

Mr. O. Allen moved to lay this order of business on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the affirmative.

By unanimous consent,

Mr. Burroughs asked for and obtained leave to bring in a bill entitled, "An act to prohibit free tickets upon railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

On motion of Mr. J. Benedict,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit:

Resolved, That this House will each day hereafter, until further order, take up the general orders of the day, at 12½ o'clock p. m.,

to the exclusion of all other business that may be then pending, except the third reading of bills and special orders, provided the general orders be not reached previous to that hour.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

On motion of Mr. O. Allen,

Resolved, That the Clerk furnish each of the messenger boys of this House with a copy of the manual, and pay the amount out of the contingent fund of the House.

On motion of Mr. Varnum,

Resolved, That the bill No. 103 on the general orders, entitled, "An act to alter the map or plan of the city of New-York," be taken from the committee of the whole and re-committed to the select committee of the New-York delegation, and that the same retain its place on the general orders.

On motion of Mr. Varnum,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, (If the Senate concur,) That the Legislature of the State New-York cordially responds to the patriotic sentiments and wise counsels contained in the last annual message of the President of the United States.

Resolved, (If the Senate concur,) That the series of measures passed at the last session of Congress, with a view of healing sectional differences, though not free from imperfections, do yet, in the mutual dependence and connection, form a system of compromise, the best that could be obtained from conflicting interests and opinions, and under all circumstances well adapted to conciliate and harmonise; that they ought to be regarded as a settlement, in principle and substance, of the dangerous and exciting subjects which they embrace, and as well should be acquiesced in until time and experience shall demonstrate the necessity of further legislation to guard against evasion and abuse.

Resolved, (If the Senate concur,) That the people of the State of New-York are now, as they have ever been, sincerely attached to the union of the states; that they regard the constitution of the United States as the palladium of political safety and prosperity; that they will faithfully adhere to it in all its parts, execute its stipulations and maintain and defend its compromises, and that, without reference to the past, it is their earnest desire, as it will be their effort, that amity may be established among the states upon firm and lasting foundations, harmony preserved in the national counsels, and our glorious Union made perpetual.

Resolved, (If the Senate,) That the Governor be requested to transmit a copy of these resolutions to the President of the United States, the Governor of the several states, and the Senators and Representatives in Congress from this State.

By unanimous consent,

Mr. J. Benedict gave notice that he would, at an early day, ask

leave to introduce a bill levying tolls upon freight and passengers carried upon the New-York and Erie and other railroads in this State.

Mr. Ward offered the following amendment to Mr. Varnum's resolutions: strike out all after the word "resolved," and insert, "That it is inexpedient and unnecessary for this Legislature to pass any resolutions bearing on the subject of slavery, or touching the question of the fugitive slave law passed at the last session of Congress, that law being acquiesced in by a vast majority of sober and thinking men of all parties in this State and throughout the Union, and that agitation in this House will have no tendency to quiet whatever agitation may exist from without it.

Mr. J. Benedict offered the following amendment to Mr. Ward's amendments: strike out all between the words "Congress" and "agitation," and insert in lieu thereof, the words "inasmuch as," which amendment was accepted by Mr. Ward.

Pending the consideration of the amendment,

On motion of Mr. Le Roy,

The House, at half past 2 o'clock, adjourned.

TUESDAY, FEBRUARY 18, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Beecher.

The minutes of yesterday were read and approved,

Mr. Hinds presented the petition of 51 inhabitants of the town of Colesville, Broome co., for a repeal of the free school law, which was read and referred to the committee of the whole on that subject.

Mr. Stewart presented the petition of sundry inhabitants of Fulton county, asking the passage of a law, taxing all the property in the State, for the support of common schools, which was read and referred to the committee of the whole on that subject.

Mr. Hoppin presented the petition of 127 inhabitants of Mendon, to repeal the free school law, which was read and referred to the committee of the whole on that subject.

Mr. French presented four several petitions of inhabitants of Cazenovia, and Sullivan, in the county of Madison, for the repeal of the free school law of 1849, and the restoration of the school laws which were in force previous to the enactment of 1849, which were read and referred to the committee of the whole on that subject.

Mr. Tuthill presented five several petitions of inhabitants of Suffolk county, for the repeal of the free school law, which were read and referred to the committee of the whole on that subject.

Mr. Campbell presented the petition of sundry inhabitants of the county of Otsego, praying that the common schools may be supported by direct tax, which was read and referred to the committee of the whole on that subject.

Mr. Noble presented the petition of inhabitants of the county of Warren, for a law to suppress the liquor traffic, which was read and referred to the select committee on that subject.

Mr. O. C. Thompson presented the petition of inhabitants of the county of Rensselaer, to support common schools by State tax, which was read and referred to the committee of the whole on that subject.

Mr. Wooster presented the petition of W. W. Swezy, and 107 others, citizens of Herkimer county, for a law to prohibit the sale of intoxicating drinks, which was read and referred to the select committee on that subject.

Mr. Minier presented two petitions of citizens of Chemung county, against the sale of intoxicating drinks, which were read and referred to the select committee on that subject.

Mr. J. Benedict presented the petition of sundry inhabitants of Cattskill, Greene county, to abolish the sale of ardent spirits as a beverage, which was read and referred to the select committee on that subject.

Mr. Brayton presented the petition of inhabitants of Oneida co., for a law prohibiting the sale of intoxicating drinks, which was read and referred to the select committee on that subject.

Mr. Jayne presented the petition of sundry inhabitants of Yates county, praying the Legislature to pass a law giving to each school district a copy of Webster's dictionary, which was read and referred to the committee on colleges, academies and common schools.

Mr. McLouth presented the petition of citizens of the village of Geneva, for the distribution of Webster's quarto dictionary, in each school district, throughout the State, which was read and referred to the committee on colleges, academies and common schools.

Mr. Stevens presented the petition of Daniel Hill, chief of the Onondaga Indians, with sundry other chiefs and Indians, praying the Legislature will pass a law to distribute the principal of the State debt to them, also a division of the lands belonging to them, which was read and referred to the committee on indian affairs.

Mr. J. Benedict presented the petition of Madison University, for an appropriation of \$5000, annually, for two years, which was read and referred to the committee on colleges, academies and common schools.

Mr. French presented the petition of citizens of Madison county, for the enactment of a law authorising notaries public to take oaths, affirmations, and acknowledgments, which was read and referred to the committee on the judiciary.

Mr. Wooster presented the petition of Robert Earle and nine others, praying that Webster's quarto dictionary may be placed in each of the school district libraries of this State, which was read and referred to the committee on colleges, academies and common schools.

Mr. Pardee presented the petition of 168 citizens of Canandaigua, to open a street in the village of Canandaigua, also of a majority of the commissioners of highways in said town recommending the same, which was read and referred to the committee on roads and bridges.

Mr. French presented the petition of inhabitants of the town of . . .

Lenox, in the county of **Madison**, for a law authorising the election of five justices of the peace in said town, one of them to be located in election district number one, in said town, which was read and referred to the committee on the judiciary.

Mr. Miles presented the petition of citizens, tax-payers of the county of **Steuben**, praying the passage of a law making the town of **Addison** a half shire-town, in said county, which was read and referred to the committee of the whole on that subject.

Mr. Ellwood presented the remonstrance of the citizens of **Schenectady**, against any additional supervisor in said city, which was read and referred to the committee of the whole on that subject.

Mr. Minier presented the petition of **S. G. Crawford**, and others, citizens of **Havana**, **Chemung** county, to amend the charter of said village, to authorise trustees to straighten and improve streams in said village, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Hoppin presented the remonstrance of citizens of **Madison** county, and **Cortland** and **Chenango** counties, against any amendment of the plank road law in regard to persons passing free of toll, which was read and referred to the committee on roads and bridges.

Mr. Backhouse presented the remonstrance of the **Brooklyn** orphan asylum, against a repeal of the law relating to the participation of the asylum in the school fund, which was read and referred to the committee on colleges, academies and common schools.

Mr. Backhouse presented the petition of 275 citizens of **Brooklyn** for the repeal of laws respecting orphan asylums, which was read and referred to the committee on colleges, academies, and common schools.

Mr. Minier presented the petition of **S. G. Crawford**, and other citizens of **Chemung** county, to cause the channel of mill creek to be changed so as to enter **Seneca** lake, by an independent channel, which was read and referred to the committee on canals.

Mr. Brayton presented the remonstrance of merchants and others, of **Rome**, **Oneida** county, against compelling country banks to redeem their notes at par in the city of **New York**, which was read and referred to the committee on banks and insurance companies.

Mr. Noble presented three several petitions of inhabitants of the northern district, counties of **Franklin**, **Essex**, and **Warren**, for the passage of a law making the **Saranac** river a public highway, for the floating of lumber; also, for an appropriation to improve said river, which were read and referred to a select committee consisting of the **Franklin**, **Warren** and **Essex** delegations.

Mr. Tuthill presented the petition of **Nathaniel Tuthill**, and 180 others, of **Suffolk** co., asking that there may be no new pilot laws enacted, which was read and referred to the committee of the whole on that subject.

Mr. H. J. Allen presented the petition of several citizens of **New-York**, in favor of the pilot law, which was read and referred to the committee of the whole on that subject.

Mr. French presented the petition of inhabitants of **Hamilton**,

Madison county, for an appropriation to Madison University, which was read and referred to the committee on colleges, academies and common schools.

Mr. Hoppin presented the petition of citizens of Madison county, for the passage of the freeman's law, which was read and referred to the committee on the judiciary.

Mr. Jayne presented two petitions of citizens of Yates county, praying for the passage of a law to prohibit the use of jails to secure fugitive slaves in this State, and to instruct our Senators, and request our Representatives, to aid in the repeal of the fugitive slave law, which were read and referred to the committee on privileges and elections, with instructions to report thereon at their earliest convenience.

Mr. Snell presented the memorial of inhabitants of the county of Montgomery, in relation to the fugitive slave law, which was read and referred to the committee on the judiciary.

Mr. Douglass presented the petition of inhabitants of Chautauque co., for the passage of a law for the further security of the personal liberty of the people of this State, which was read and referred to the committee on the judiciary.

Mr. Elderkin presented the petition of the New-York academy of medicine, asking for the use of the Assembly chamber on Wednesday evening next, which was granted.

Mr. Ward, from the committee on charitable and religious societies, to which was referred the memorial of the colonization society of the State of New-York, asking for an appropriation, reported in writing, and asked and obtained leave to bring in a bill entitled, "An act authorising the appropriation of money in aid of emigrants of color from this State," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(See Doc. No. 71.)

Mr. Fisk moved that twice the usual number of the report of the committee on the above named memorial be printed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Fisk, and it was determined in the affirmative.

Mr. E. Perry, from the select committee consisting of Albany city delegation, to which was referred the petition of citizens of the village of Cohoes, reported, and asked and obtained leave to bring in a bill entitled, "An act relating to the village of Cohoes," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Varnum, from the select committee consisting of the N. Y. delegation, to which was re-committed the bill entitled, "An act to alter the map or plan of the city of New-York by changing the permanent exterior line on the East river between Eighteenth-st. and Twenty-third-st.," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Varnum, from the same committee, asked and obtained leave to introduce a bill on the same subject entitled, "An act to provide for the appraisal of pre-emption rights to the lands covered with water adjacent to the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

A message from the Senate was received and read, informing that they had passed without amendment, the bill entitled, as follows:

"An act in relation to the liberties of jails."

Ordered, That the Clerk deliver said bill to the Governor.

The bill entitled, "An act for the relief of Eleazer Hills," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 85.
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Campbell	French	Loggett	E. T. Smith
O. Allen	Chamberlin	Gilbert	Le Roy	Southwick
Antho	G. Clark	Gleason	Lesley	Stevens
Atwood	Coffin	A. A. Gregory	Lewis	Stewart
R. Babcock	Colvin	W. S. Gregory	Lyon	Stillwell
Backhouse	Corser	Greene	McLouth	Stratton
Baker	Dewey	H. Harris	Minier	Swords
Barnes	Douglass	L. Harris	Moss	Speaker
Belknap	Doyle	Heath	Noble	O. C. Thompson
J. Benedict	Elderkin	Hewit	Pardee	Tuthill
Bishop	Ellwood	Hinds	E. Perry	Underwood
Blackstone	Farr	Hoppin	Robinson	Ward
Bowne	Ferris	Humphrey	Rouse	Wheeler
Bradley	Feller	Kinsley	Rumsey	Whiteside
Brayton	Fisk	Lake	W. Russell	Wooster
Burroughs	Fitzhugh	Langdon	W. F. Russell	Wright
Bushnell	Fordyce	Lawyer	Ryan	Yeomans 85

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to authorise the appraisal and payment of canal damages to James Woodward," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows.

{ AYES 80
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Coffin	{ W. S. Gregory	Lyon	Southwick
O. Allen	Colvin	{ H. Harris	McLouth	Stevens

Atwood	Dewey	L. Harris	Miles	Stewart
Backhouse	Dougherty	Heath	Minier	Stilwell
Barnes	Douglass	Hewit	Moss	Stratton
Belknap	Elderkin	Hinds	Noble	Swords
J. Benedict	Ellwood	Horton	Pardee	Speaker
Bird	Farr	Hoppin	E. Perry	O. C. Thompson
Bishop	Ferris	Humphrey	Rouse	Tuthill
Blackstone	Feller	Jayne	Ramsey	Underwood
Brayton	Fisk	Kinsley	W. Russell	Ward
Burroughs	Fitzhugh	Langdon	W. F. Russell	Wheeler
Campbell	Fordyce	Lawyer	Ryan	Whiteside
Chamberlin	Gilbert	Leggett	A. Smith	Wooster
G. Clark	Gleason	Le Roy	E. T. Smith	Wright
J. F. Clark	A. A. Gregory	Lesley	Snell	Yeomans 80

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to authorise the appraisal and payment of canal damages to Ebenezer Humphrey," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Coffin	H. Harris	Minier	Stilwell
O. Allen	Dewey	L. Harris	Moss	Stratton
Atwood	Dougherty	Hewit	Noble	Swords
Backhouse	Douglass	Hinds	Pardee	Speaker
Barnes	Doyle	Horton	E. Perry	O. C. Thompson
Belknap	Elderkin	Hoppin	Rouse	Townsend
J. Benedict	Ellwood	Humphrey	Ramsey	Tuthill
Bishop	Farr	Jayne	W. Russell	Underwood
Blackstone	Ferris	Kinsley	W. F. Russell	Varnum
Bowne	Feller	Langdon	Ryan	Ward
Burroughs	Fisk	Leggett	A. Smith	Wheeler
Cady	Fitzhugh	Le Roy	E. T. Smith	Whiteside
Campbell	Fordyce	Lesley	Southwick	Wooster
Chamberlin	Gleason	McLouth	Stevens	Wright
G. Clark	A. A. Gregory	Miles	Stewart	Yeomans
J. F. Clark	W. S. Gregory			

77

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to secure for this State an agent to the World's fair at London of 1851, who shall receive a sufficient remuneration," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 67 }
- { NOES 10 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	A. A. Gregory	Langdon	Ryan
O. Allen	G. Clark	W. S. Gregory	Leggett	A. Smith
Anthon	Coffin	Greene	Le Roy	Snell
Atwood	Dewey	H. Harris	Lesley	Southwick
Backhouse	Dougherty	L. Harris	Lyon	Stevens
Barnes	Douglase	Heath	McLouth	Swords
Belknap	Elderkin	Hewit	Miles	Speaker
J. Benedict	Ellwood	Hinds	Minier	Townsend
Bishop	Farr	Horton	Noble	Tuthill
Blackstone	Ferris	Hoppin	Pardee	Underwood
Bowne	Feller	Humphrey	E. Perry	Ward
Brayton	Fisk	Kinsley	Pool	Whiteside
Burroughs	Fordyce	Lake	Rouse	Yeomans
Campbell	Gleason			

67

Those who voted in the negative are,

Robinson	W. F. Russell	E. T. Smith	Stilwell	Varnum
Rumsey	Shultes	Stewart	O. C. Thompson	Wright

10

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to incorporate the Central city savings institution," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	G. Clark	H. Harris	Moss	Stilwell
O. Allen	Davis	L. Harris	Noble	Stratton
Anthon	Dewey	Hatch	Pardee	Swords
Atwood	Doyle	Hewit	Pool	Speaker
Backhouse	Elderkin	Hinds	Robinson	O. C. Thompson
Barnes	Farr	Hoppin	Rouse	Townsend
Belknap	Ferris	Kinsley	Rumsey	Tuthill
J. Benedict	Feller	Lake	W. Russell	Underwood
Bishop	Fisk	Langdon	Ryan	Varnum
Blackstone	Fordyce	Leggett	Shultes	Ward
Bowne	French	Lesley	A. Smith	Wheeler
Brayton	Gilbert	Lyon	E. T. Smith	Whiteside
Burroughs	A. A. Gregory	McLouth	Southwick	Wright
Cady	W. S. Gregory	Miles	Stevens	Yeomans
Chamberlin	Greene	Minier	Stewart	

74

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to incorporate the Niagara county savings bank," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Davis	Hatch	Noble	Stilwell
O. Allen	Dewey	Heath	Pardee	Stratton
Anthon	Dougherty	Hewit	E. Perry	Swords
Atwood	Doyle	Hinds	Robinson	Speaker
Backhouse	Elderkin	Hoppin	Rouse	O. C. Thompson
Barnes	Farr	Jayne	Rumsey	Townsend
Belknap	Ferris	Lake	W. Russell	Tuthill
J. Benedict	Feller	Langdon	W. F. Russell	Underwood
Bishop	Fisk	Leggett	Ryan	Varnum
Blackstone	Fordyce	Le Roy	Shultes	Ward
Brayton	Gilbert	Lesley	A. Smith	Wheeler
Burroughs	A. A. Gregory	Lyon	E. T. Smith	Whiteside
Bushnell	W. S. Gregory	McLouth	Southwick	Wooster
Chamberlin	Greene	Miles	Stevens	Wright
G. Clark	H. Harris	Minier	Stewart	Yeomans
J. F. Clark	L. Harris	Moss		

78

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

A message from the Senate was received and read, informing that they had passed, with an amendment therewith delivered, the bill entitled, "An act for the relief of the Shinecock tribe of Indians."

Mr. Speaker put the question whether the House would agree to the amendment of the Senate, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Dewey	Hatch	Noble	Stewart
O. Allen	Dougherty	Heath	Norton	Stilwell
Anthon	Doyle	Hewit	Pardee	Stratton
Atwood	Elderkin	Hinds	E. Perry	Swords
Backhouse	Farr	Hoppin	Pool	Speaker
Barnes	Ferris	Jayne	Robinson	O. C. Thompson
Belknap	Feller	Kinsley	Rouse	Townsend
J. Benedict	Fisk	Lake	Rumsey	Tuthill
Bishop	Fordyce	Langdon	W. Russell	Underwood
Blackstone	Gilbert	Leggett	W. F. Russell	Varnum
Bowne	Gleason	Le Roy	Ryan	Ward
Brayton	A. A. Gregory	Lesley	Shultes	Wheeler
Burroughs	W. S. Gregory	Lyon	A. Smith	Whiteside
Campbell	Greene	McLouth	E. T. Smith	Wooster
G. Clark	H. Harris	Miles	Southwick	Wright
J. F. Clark	L. Harris	Moss	Stevens	Yeomans

80

Ordered, That the Clerk return the said bill to the Senate, with a message informing, that the Assembly had concurred in the said amendment, and amended the same accordingly.

The bill entitled, "An act for the relief of the devisees of William Crowther," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 83 }
 { NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Dewey	L. Harris	Norton	Stewart
O. Allen	Douglass	Hatch	Pardee	Stilwell
Antho	Doyle	Heath	E. Perry	Stratton
Atwood	Elderkin	Hewit	Pool	Swords
Backhouse	Ellwood	Hinds	Robinson	Speaker
Barnes	Farr	Hoppin	Rouse	O. C. Thompson
Belknap	Ferris	Humphrey	Rumsey	Townsend
J. Benedict	Feller	Jayne	W. Russel	Tuthill
Bishop	Fisk	Lake	W. F. Russell	Underwood
Blackstone	Fordyce	Langdon	Ryan	Varnum
Bowne	French	Leggett	Shultes	Ward
Brayton	Gilbert	Le Roy	A. Smith	Wheeler
Burroughs	Gleason	Lesley	E. T. Smith	Whiteside
Campbell	A. A. Gregory	McLouth	Snell	Wooster
Chamberlin	W. S. Gregory	Miles	Southwick	Wright
G. Clark	Greene	Moss	Stevens	Yeomans
Coffin	H. Harris	Noble		

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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to provide for the election of a separate officer to perform the duties of the office of surrogate in certain counties," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 80 }
 { NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Coffin	H. Harris	Miles	Southwick
O. Allen	Dougherty	L. Harris	Moss	Stevens
Antho	Douglass	Hatch	Noble	Stewart
Atwood	Doyle	Heath	Pardee	Stilwell
Backhouse	Elderkin	Hewit	E. Perry	Stratton
Barnes	Ellwood	Hinds	Pool	Swords
Belknap	Farr	Hoppin	Robinson	Speaker
J. Benedict	Ferris	Humphrey	Rouse	O. C. Thompson
Bishop	Feller	Jayne	Rumsey	Townsend
Blackstone	Fisk	Kinsley	W. Russell	Tuthill
Bowne	Fordyce	Lake	W. F. Russell	Underwood
Brayton	Gilbert	Langdon	Ryan	Varnum
Burroughs	Gleason	Leggett	Shultes	Ward
Chamberlin	A. A. Gregory	Le Roy	A. Smith	Wheeler
G. Clark	W. S. Gregory	Lesley	E. T. Smith	Wooster
J. F. Clark	Greene	McLouth	Snell	Yeomans

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Ordered, That the Clerk return the said bill to the Senate, and request their concurrence in the same.

On motion of Mr. Underwood.

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

WHEREAS, A large number of packages containing a very great amount of notes of sundry banks of this State, are now remaining in the Treasury department, which notes have been heretofore, at different times counted, redeemed, and cancelled, by persons duly appointed for the purpose, and being now legally extinguished, are worthless and encumber the Department in which they are deposited; and whereas, the Comptroller and Treasurer have caused an inventory of the above mentioned to be made, showing the names of the several banks by which the said notes were respectively issued, the numbers of the said packages and the amount of notes they contain, and the dates when they were counted, redeemed and cancelled, as endorsed thereon by the persons employed for that purpose, which inventory has been placed on file in the Treasury Department ; therefore,

Resolved, (If the Senate concur,) That the Comptroller and Treasurer of this State be, and they hereby are, authorised and directed to burn and wholly destroy the said notes and packages, or cause the same to be done by such person or persons as they may designate and appoint for the purpose, and that they make report to this Legislature of the amount of said notes and packages thus burned, and give the names of the several banks by which the same were originally issued.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Speaker presented a communication from the Canal Board, in compliance with a resolution of the House passed 13th inst., transmitting a copy of the report of the State Engineer and Surveyor, upon the lengthening of certain locks in the Erie canal between Syracuse and Rochester.

Mr. O. Allen moved that it be referred to the committee on canals and printed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the affirmative.

Mr. H. Harris gave notice that he would, at an early day, ask leave to introduce a bill for the protection of persons employed on boats navigating any of the waters of the State of New-York.

Mr. H. Harris gave notice that he would, at an early day, ask leave to introduce a bill in relation to suits by and against companies having a joint or common interest in property.

In pursuance of previous notice, Mr. W. S. Gregory asked for and obtained leave to bring in a bill entitled, "An act to incorporate the asylum for friendless boys in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Ward moved that the resolution offered by Mr. Varnum in re-

lation to the late compromise measures of Congress, be referred to the committee of the whole.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Ward, and it was determined in the negative.

Mr. Anthon gave notice that he would, at some future day, ask leave to introduce a bill entitled, "An act to amend an act entitled, 'An act to organize a separate battalion in the county of Richmond,' passed March 23, 1850."

In pursuance of previous notice, Mr. Atwood asked for and obtained leave to bring in a bill entitled, "An act to abolish tolls on freight transported upon any railroad in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Pardee offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That on and after Tuesday the twenty-fifth instant, this House will meet at ten o'clock A. M. and from and after that time the consideration of motions, resolutions, notices and the introduction of bills, shall not be in order except on Tuesdays and Fridays of each week.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. O. Allen offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the committee on canals be discharged from the further consideration of the bill relating to the powers of canal superintendents, and that it be referred to the committee of the whole having in charge bill No. 82 general orders, entitled, "An act authorising the canal appraisers to ascertain and award damages in certain cases."

Debate was had thereon,

Ordered, That said resolution be laid upon the table.

Mr. Elderkin offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That bill No. 203 being the Militia bill, be made the special order for Thursday next at 12½ o'clock p. m.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

In pursuance of previous notice, Mr. Lesley asked for and obtained leave to bring in a bill entitled, "An act to incorporate the Marshall infirmary in the city of Troy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Pardee gave notice that he would, at some future day, ask leave to introduce a bill entitled, "An act to authorise the laying out and opening a public highway in the village of Canandaigue, in the county of Ontario."

In pursuance of previous notice, Mr. Bishop asked for and obtained leave to introduce a bill entitled, "An act in relation to the width

of highways in the town of Ghent," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

On motion of Mr. Lyon,

Resolved, That the joint resolutions from the Sénate relating to the public domain of the Union, be taken from the table and referred to the standing committee on public lands.

Mr. Robinson offered for the consideration of the House, a resolution, in the words following, to wit :

Resolved, That the select committee on the assessment of taxes be instructed to report forthwith on the bill repealing the law which exempts manufacturing companies from taxation.

Debate being had thereon,

Ordered, That the said resolution be laid upon the table.

Mr. Moss gave notice that he would, at some future day, ask leave to introduce a bill to incorporate a company to supply the village of Lewiston with water.

Mr. Moss gave notice that he would, at some future day, ask leave to introduce a bill for the relief of Solomon Parmelee and others.

Mr. Stevens gave notice that he would, at an early day, ask leave to introduce a bill in relation to the Onondaga salt springs.

Mr. Varnum called for the consideration of the resolutions heretofore offered by him in relation to the compromise measures of Congress.

By unanimous consent,

Mr. Wakeman asked and obtained leave to bring in a bill entitled "An act to amend an act entitled, 'An act for the collection of taxes in the city of New-York,'" passed April 18, 1843," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the New-York delegation.

Pending the consideration of Mr. Ward's amendment to Mr. Varnum's resolutions,

On motion of Mr. Wakeman,

The House, at 2 o'clock, adjourned.

WEDNESDAY, FEBRUARY 19, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Huntington.

The minutes of yesterday were read and approved.

Mr. Snell presented the remonstrance of stockholders of the Fort Plain bridge company and others, against any modification of their charter, which was read and referred to the committee on roads and bridges.

Mr. Hoppin presented the petition of sundry citizens of Madison

co., for an appropriation of five thousand dollars to aid Madison University, which was read and referred to the committee on colleges, academies and common schools.

Mr. Fordyce presented the petition of sundry citizens of Monroe co., for a ferry across Genesee river, which was read and referred to the committee on commerce and navigation.

Mr. Heath presented the petition of Wm. E. Stedwell, for an act to enable him to hold and convey real estate, which was read and referred to the committee on the judiciary.

Mr. Miles presented four petitions of sundry citizens of Steuben co., that Addison be made a half shire town in that county, which were read and referred to the committee of the whole when on the bill on that subject.

Mr. Atwood presented the remonstrance of Ebenezer Briggs and others, against the locating of Cayuga road on another highway, which was read and referred to the committee of the whole when on the bill on that subject.

Mr. Varnum presented the remonstrance of the Buffalo and Rochester railroad co., against any law compelling them to fence their road, which was read and referred to the committee on railroads.

Mr. Snell presented the petition of citizens of Fort Plain, for a modification of the charter of the Fort Plain bridge co., which was read and referred to the committee on roads and bridges.

Mr. Noble presented two petitions of citizens of Essex and Warren counties, for an appropriation to build a bridge over the Hudson river between Johnsburgh and Chester, which were read and referred to the committee on commerce and navigation.

Mr. Stilwell presented the petition of sundry citizens of St. Lawrence co., in relation to certain ferries in the town of Morristown, which was read and referred to a select committee consisting of the St. Lawrence delegation.

Mr. Brayton presented the petition of the Rome and Oswego road co., for an amendment of their charter, which was read and referred to the committee on roads and bridges.

Mr. Leggett presented the petition of the Saratoga co. agricultural society, for an agricultural college, which was read and referred to the committee of the whole on that subject.

Mr. Anthon presented the petition of sundry citizens of Richmond co., for protection against the unlawful acts of citizens of New-Jersey in reference to the oyster fisheries in New-York and Newark bays, which was read and referred to a select committee.

Mr. Lesley presented the petition of the common council of Troy, for an act to authorise the construction of a railroad through said city, which was read and referred to the committee on railroads.

Mr. Barnes presented the petition of citizens of Orange co., for an amendment of the assessment laws, which was read and referred to a select committee upon that subject.

Mr. O. C. Thompson presented the remonstrance of sundry citizens of Rensselaer county against any special privilege being granted to

the city of Troy in the distribution of school monies, which was read and referred to the committee of the whole.

Mr. Brayton presented the remonstrance of citizens of Oneida co., against par redemptions, which was read and referred to the committee on banks and insurance companies.

Mr. Severance presented 9 remonstrances of citizens of Erie co., against the repeal of the law making the office of clerk of said co., a salaried office, which were read and referred to the committee of the whole.

Mr. Hatch presented the petition of 120 citizens of Onondaga and Oswego cos., for a bridge across the Oneida river, which was read and referred to the committee on roads and bridges.

Mr. O. C. Thompson and Mr. Heath severally presented petitions of sundry citizens of Rensselaer and Montgomery counties, for an act to stay the collection of rents in certain cases, which were read and referred to the select committee on that subject.

Mr. Hatch presented 4 petitions of citizens of Oswego co., for the prohibition of the liquor traffic, which were read and referred to the select committee on that subject.

Mr. Babcock and Mr. Brayton severally presented petitions of sundry citizens of Niagara and Oneida counties, on the same subject, which were read and referred to the select committee on that subject.

Messrs. T. H. Benedict, Coffin, Southwick, Miles, Rouse, Atwood, Cooke, French, Gleason and A. Smith, severally presented petitions on the subject of free schools, which were read and referred to the committee of the whole.

Messrs. Minier, Sherman and Wooster severally presented petitions of sundry citizens of this state for the abolition of capital punishment, which were read and referred to the select committee on that subject.

Mr. Minier presented the petition of sundry citizens of Chemung co., asking that Webster's dictionary may be placed in each school district library in the state, which was read and referred to the committee on colleges, academies and common schools.

Mr. Sherman presented 2 petitions of sundry citizens of Dutchess co., for an act to provide a trial by jury to persons claimed as fugitives from slavery, which were read and referred to the committee on the judiciary.

Messrs. Fisk and Coffin severally presented petitions of sundry citizens of Genesee and Columbia counties, on the same subject, which were read and referred to the committee on the judiciary.

Mr. Minier presented 2 petitions of sundry citizens of Steuben and Chemung counties, in relation to certain canal damages, which were read and referred to the committee on canals.

Mr. Minier presented the petition of citizens of the village of Horseheads, for an amendment of their charter, which was read and referred to the committee on the incorporation of cities and villages.

Mr. A. Smith presented the petition of trustees of the village of Westfield for a law authorising the board of supervisors of Chautau-

que co., to borrow money to build a bridge over Chautauque creek, which was read and referred to the committee on roads and bridges.

Mr. Minier presented the petition of sundry citizens of Southport, Chemung co., for a revision of the plank road act relative to that village, which was read and referred to the committee on roads and bridges.

Mr. A. A. Gregory, from the committee on Indian affairs, to which was referred the petition of Polly Powlas, for payment of certain moneys, asked and obtained leave to bring in a bill entitled, "An act authorising the payment of certain moneys to Polly Powlas and her children," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to authorise the board of supervisors of the several counties in the State to regulate the salaries or compensation of the county clerks," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on canals, presented a majority report from said committee in relation to the Sodus canal co.

(See Doc. No. 64.)

Ordered, That the said report be printed.

Mr. Backhouse, from the select committee consisting of the Kings county delegation, to which was referred the bill entitled, "An act for the preservation of game in the counties of Suffolk, Queens and Kings," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Wakeman, from the select committee consisting of the N. Y. delegation, to which was referred the bill entitled, "An act to amend an act entitled, 'An act for the collection of taxes in the city of New-York,' passed April 18, 1843," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Wakeman presented the remonstrance of Thos. A. Sherwood and 99 others, citizens and voters of the village of Fort Edward, against the bill to amend the general village act so far as relates to the village of Fort Edward, which was read and referred to the committee of the whole on that subject.

The report of the unclaimed dividends and deposits of Monroe co. savings bank was received.

Mr. Tuthill gave notice that he would, at an early day, ask leave

to introduce a bill incorporating the Union wharf co. at Greenport, in the county of Suffolk.

Mr. R. Babcock gave notice that he would, at an early day, ask leave to introduce a bill to extend the time for collecting taxes in the towns of Bethlehem and New Scotland, Albany co.

In pursuance of previous notice, Mr. H. Harris asked for and obtained leave to introduce a bill entitled, "An act to amend the act in relation to suits by and against joint stock companies and associations, by extending the same to companies having a joint interest in property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. H. Harris asked for and obtained leave to introduce a bill entitled, "An act for the protection of persons employed on boats navigating any of the waters of the State of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

Mr. Backhouse gave notice that he would, on a future day, ask leave to introduce a bill granting jurisdiction to the government of the United States over a certain piece of land in the city Brooklyn.

In pursuance of previous notice, Mr. Anthon asked for and obtained leave to introduce a bill entitled, "An act to amend an act entitled, 'An act to organize a separate battalion in the county of Richmond,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defence.

In pursuance of previous notice, Mr. Stevens asked for and obtained leave to bring in a bill entitled, "An act in relation to the Onondaga salt springs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the manufacture of salt.

Mr. Robinson moved to lay this order of business on the table and take up that of general orders.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Robinson, and it was determined in the negative.

Mr. Fitzhugh gave notice that he would, at a future day, ask leave to introduce a bill to incorporate the Sophia-street female academy in the city of Rochester.

By unanimous consent,

Mr. Burroughs, from the committee on canals, presented a minority report from said committee, in relation to the bill entitled, "An act to revive and amend the several acts to incorporate and to increase the capital and extend the powers of the Sodus canal co."

(See Doc. No. 65.)

Ordered, That said report be printed.

Mr. Varnum called for the consideration of the resolutions hereto-

fore offered by him in relation to the compromise measures of Congress, and the pending amendment thereto, offered by Mr. Ward.

Mr. L. Harris moved to amend the amendment by striking out all after the word "resolved," and inserting in lieu thereof the resolutions offered by him on the 10th inst. on the same subject.

On motion of Mr. O. Allen,

The resolutions and amendments were laid on the table.

By unanimous consent,

Mr. Burroughs presented the petition of 700 inhabitants of the county of Genesee, asking for relief to the settlers upon the Tonawanda reservation, which was read and referred to a select committee.

On motion, leave of absence was granted to Mr. Bird for ten days, Mr. Dougherty, three days.

In pursuance of previous notice, Mr. Moss asked for and obtained leave to introduce a bill entitled, "An act in relation to the powers of the late court of chancery and supreme court in equity in certain cases"

On motion of Mr. Humphrey,

The House then, at 2 o'clock, adjourned.

THURSDAY, FEBRUARY 20, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Beecher.

The minutes of yesterday were read and approved.

Mr. Speaker announced the following select committee on the petitions for relief to the settlers upon the Tonawanda reservation: Messrs. Burroughs, Ferris, Elderkin, Varnum and Anthon.

Mr. Varnum presented the memorial of the mayor, aldermen and commonalty of the city of New-York, for a law to increase the number of commissioners of deeds in that city, which was read and referred to the select committee consisting of the New-York delegation.

Mr. Varnum presented the memorial of the same, for an act authorising the common council of that city to repeal a certain ordinance in relation to the redemption of the city debt, which was read and referred to the select committee consisting of the New-York delegation.

Mr. E. T. Smith presented the remonstrance of sundry citizens of Brook Haven against any alteration of the pilot law, which was read and referred to the committee of the whole.

Mr. Wright presented the petition of sundry inhabitants of the county of Otsego to stay the collection of rents in certain cases, which was read and referred to the select committee on that subject.

Mr. Jayne presented the petition of sundry citizens of Penn Yan in favor of par redemptions, which was read and referred to the committee on banks and insurance companies.

Mr. Humphrey presented the petition of the Bennington cemetery association for relief, which was read and referred to the committee on grievances.

Mr. T. H. Benedict presented the petition of Chauncey Smith, late agent at Sing Sing prison, for relief, which was read and referred to the committee on claims.

Mr. Yeomans presented the petition of sundry citizens of Macedon, Wayne co., for a law to protect free citizens of this state from unlawful seizure or arrest, which was read and referred to the committee on the judiciary.

Mr. Graham presented the petition of sundry citizens of Tompkins co., on the same subject, which was read and referred to the committee on the judiciary.

Mr. Tuthill presented the remonstrance of sundry citizens of Suffolk co., against the passage of the pilot bill reported to this House, which was read and referred to the committee of the whole.

Mr. Briggs presented 4 petitions of sundry citizens of Westchester co., for making the bridges over the Croton river in that county, a county charge, which were read and referred to the select committee consisting of the Westchester delegation.

Mr. O. C. Thompson presented 3 remonstrances of sundry citizens of Rensselaer co., against granting to the city of Troy any special privileges in the distribution of school money, which were read and referred to the committee of the whole.

Mr. Maurice presented 2 remonstrances of sundry citizens of Oyster Bay, Suffolk co., against the abandonment of the free school principle, which were read and referred to the committee of the whole.

Mr. Maurice presented the remonstrance of sundry citizens of Flushing, Queens co., against any special legislation in reference to school district No. 3 in that town, which was read and referred to the committee on colleges, academies and common schools.

Messrs. Burroughs, Graham, Minier, Pardee and Whiteside severally presented petitions of sundry citizens, against the sale of intoxicating drinks as a beverage, which was read and referred to the select committee on that subject.

Mr. Severance presented the petition of Edwin Wright, William Wright and Esther Wright, for the relief of Erasta Ann Wright, infant daughter of Ernstus B. Wright an alien deceased, which was read and referred to the committee on aliens.

Mr. Robinson presented two petitions, Mr. E. T. Smith two, Mr. Humphrey two, Mr. Maurice seven, Mr. Noble three, Mr. Atwood two, Mr. French two and Messrs. Barnes, Ferris, Briggs, Graham, Coffin, Rouse, Pardee, Chamberlin, Wooster, Fisk, Hinds, Severance, Bishop and Underwood, severally, petitions for the repeal of the free school law, which were read and referred to the committee of the whole.

Mr. Varnum presented the petition of John Jones Schermerhorn, Edward Banker and Edmund H. Schermerhorn, for the passage of an act modifying certain acts, passed May 9th, 1837 and April 10th, 1849, giving authority to certain persons to erect and maintain docks in front of their property on the East river and near Bushwick creek,

and to provide for the permanent keeping open of the mouth of said creek for the purpose of public navigation &c., which was read and referred to the committee on the judiciary.

Mr. Babcock presented the petition of citizens of Bethlehem, for a copy of Webster's unabridged dictionary in each school district library in this State, which was read and referred to the committee on colleges, academies and common schools.

Mr. Rowe presented the petition of citizens of Alexander, in the county of Genesee, praying for the repeal of the death penalty, and to substitute imprisonment for life at hard labor, which was read and referred to the select committee on that subject.

Mr. Varnum presented the petition of the supervisors of Bushwick, for the appointment of commissioners to establish the boundary line between the towns of Bushwick and Williamsburgh, which was read and referred to the committee on commerce and navigation.

Mr. Moss presented the petition of the trustees of the village of Lewiston, for an act to incorporate a company to supply the village of Lewiston with water, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Maurice presented the petition of the Jamaica and Brooklyn plank road company, for an increase of their capital, which was read and referred to the committee on roads and bridges.

Mr. Higby presented the petition of 259 citizens of Auburn, Cayuga co., members of the order of sons of temperance, praying for the suppression of the liquor traffic, which was read and referred to the select committee on that subject.

Mr. Feller presented the petition of Richard Esselstyne and others, of Dutchess co., for a tax of one dollar upon every legal voter for the support of common schools, which was read and referred to the committee of the whole when on the bill on that subject.

Mr. J. Benedict presented the petition of inhabitants of Clinton, for a law authorising the purchase of Webster's unabridged dictionary for school district libraries, which was read and referred to the committee on colleges, academies and common schools.

Mr. Tuthill presented the petition of George Miller and others, inhabitants of Riverhead, Suffolk county, praying that the law, requiring the registry of births, marriages and deaths, be not unconditionally repealed, which was read and referred to the select committee.

Mr. Highby presented the petition of supervisor, town clerk, assessors of the town of Bath, and county treasurer of Steuben county, praying that the time for the collection of taxes in Bath, be extended to the 20th day of March next, which was read and referred to the select committee consisting of the Steuben county delegation.

Mr. Miles presented the petition of inhabitants of the town of Addison, Steuben county, praying the passage of a law making the town of Addison a half shire town, and that the courts be held alternately at Bath and Addison, in said county, which was read and referred to the committee of the whole when on the bill on that subject.

Mr. Burroughs presented the petition of sundry citizens of Herki-

mer county for an amendment of the divorce laws, which was read and referred to a select committee on that subject.

Mr. Hatch presented the petition of sundry persons, citizens of Oswego county, for the relief of Thomas W. Dixon, which was read and referred to the committee on the judiciary.

Mr. Southwick presented the petition of John S. Blair and 97 others of Seneca county, praying for the re-charter of the Sodus canal company, which was read and referred to the committee of the whole on that subject.

Mr. Tuthill presented resolutions, in the nature of a petition, of inhabitants of Suffolk county, requesting the passage of the act reported to the House by Mr. Benedict and others of the majority of the committee on colleges, academies and common schools, which were read and referred to the committee of the whole.

Mr. Underwood presented the petition of James M. Alden, book publisher residing in the village of Auburn, praying that so much of the library money as may be necessary to place a copy of the United States exploring expedition in each of the common school libraries of the State, be appropriated for that purpose, which was read and referred to the committee on colleges, academies and common schools.

Mr. French presented the petition of Marquis Long of the town of Sullivan, county of Madison, asking the Legislature to pass a law authorising the comptroller to refund to him a certain sum which he thinks has been unjustly obtained from him in the purchase of an Island in the Chittenango creek, which was read and referred to the committee on grievances.

Mr. Tuthill presented the petition of inhabitants of Suffolk county, praying that there may be no alteration of the present pilot laws, which was read and referred to the committee of the whole.

Mr. Yeomans presented the petition of citizens of Wayne county, for a law authorising notaries public to take and certify oaths, affirmations and acknowledgments in certain cases, which was read and referred to the committee on the judiciary.

Mr. Stratton presented the petition of the president, directors and company of the New-York and Montgomery mining company for an amendment of their charter, and for other purposes, which was read and referred to the committee on trade and manufactures.

Mr. Ferris presented the remonstrance of sundry inhabitants of Dryden, in the county of Tompkins, against the bill providing for the establishment of an agricultural college, which was read and referred to the committee of the whole.

Mr. Wright presented the petition of 72 inhabitants of the town of Unadilla, in favor of free schools, supported by a state tax, which was read and referred to the committee of the whole.

Mr. Bishop called for the consideration of the majority report of the committee on privileges and elections, in relation to the contested seat of Saml. Jayne, jr., member from Yates co., and in relation thereto offered the following resolution, to wit :

Resolved, That James Taylor, of Penn Yan, be appointed a commissioner to take and report to this House the evidence to be produc-

ed by John Underwood, in support of his claim to the seat now occupied by Samuel Jayne, jr., and that he have full power to send for persons and papers in order to take such testimony.

Mr. Burroughs moved to amend by striking out all after the word "resolved," and insert as follows :

That the petitioner, John Underwood, has wholly failed to establish by legal evidence, his right to the seat claimed by him in this House.

Resolved, That the committee on privileges and elections be discharged from the further consideration of the petition of John Underwood, claiming a seat in the Assembly from Yates co., now held by Samuel Jayne, jr., without prejudice to the right of said Underwood to renew his claim to said seat if he shall present evidence to this House impeaching the return of the inspectors of election district No. 2, town of Jerusalem, Yates co.

Mr. Burroughs moved to lay said resolutions and amendments on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

Mr. Humphrey moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the negative.

Debate was had thereon, when

Mr. Norton moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the negative.

Mr. Burroughs moved the following amendment to the amendment:

Resolved, That the testimony in relation to the contested seat of the member from Yates co., be taken by the county judge of Yates co., but in case of his inability to take such testimony he shall appoint, in writing, some proper person to take such testimony.

Mr. Briggs moved to adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Briggs, and it was determined in the negative.

Pending the consideration of Mr. Burroughs amendment,

On motion of Mr. Davis,

The House, at half-past 2 o'clock, adjourned.

FRIDAY, FEBRUARY 21, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Huntington.

The minutes of yesterday were read and approved.

Mr. Burroughs called for the consideration of the resolution and pending amendments relating to the contested seat of the member from Yates.

Mr. Burroughs withdrew the amendment to the amendment, offered by him yesterday.

Mr. Varnum moved to postpone until Monday morning, and that it be made the special order for that morning immediately after the reading of the journal.

Mr. Elderkin moved to lay said motion upon the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the negative.

Mr. Varnum withdrew his amendment.

Mr. Humphrey moved to amend by striking out all after "that," and inserting as follows:

"The chairman of the committee on privileges and elections be authorised to proceed to Yates co. to take testimony in the case of the contested seat in that county, and that said chairman have power to send for persons and papers."

Mr. Burroughs moved to lay upon the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

{ AYES 42 }
{ NOES 61 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Davis	Le Roy	Rider	E. T. Smith
Barnes	Doyle	Lewis	Robinson	Snell
Bowne	Elderkin	Lyon	Rockwell	Stewart
Burroughs	French	Maurice	W. Russel	Stratton
Bushnell	Higby	Minier	W. F. Russell	O. C. Thompson
J. F. Clark	Horton	Noble	Shall	Townsend
Coffin	Kinsley	E. Perry	Siekles	Wooster
Colvin	Kellogg	Pool	A. Smith	Wright
Congdon	Lawyer			

42

Those who voted in the negative are,

O. Allen	Carrington	A. A. Gregory	Lesley	Sherman
Atwood	Chamberlin	W. S. Gregory	McLouth	Shultes
J. W. Babcock	G. Clark	Greene	Macomber	Southwick
Backhouse	Cooke	H. Harris	Miles	Stevens
Baker	Douglass	L. Harris	Moss	Swords
Belknap	Farr	Heath	Norton	Speaker

J. Benedict	Ferris	Hinds	Pardee	Underwood
T. H. Benedict	Feller	Hoppin	J. L. Perry	Wakeman
Bishop	Fisk	Humphrey	Rouse	Ward
Blackstone	Fitzhugh	Lake	Rowe	Wheeler
Bottum	Fordyce	Langdon	Rumsey	Whiteside
Brayton	Graham	Leggett	Severance	Yeomans
Campbell				

61

Mr. Robinson moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the negative.

{ AYES 37 }
{ NOES 58 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Elderkin	Lewis	Rider	E. T. Smith
Barnes	Fisk	Lyon	Robinson	Snell
Burroughs	French	Maurice	Rockwell	Stewart
J. F. Clark	Higby	Minier	W. Russell	Stratton
Colvin	Horton	Noble	W. F. Russell	O. C. Thompson
Congdon	Kinsley	E. Perry	Shall	Wooster
Davis	Lawyer	Pool	Sickles	Wright
Doyle	Le Roy			

37

Those who voted in the negative are,

O. Allen	Carrington	H. Harris	Macomber	Shultes
Atwood	Chamberlin	L. Harris	Miles	A. Smith
J. W. Babcock	G. Clark	Heath	Moss	Southwick
Backhouse	Douglass	Hinds	Norton	Stevens
Baker	Farr	Hoppin	Pardee	Swords
Belknap	Ferris	Humphrey	J. L. Perry	Speaker
J. Benedict	Feller	Kellogg	Rouse	Townsend
T. H. Benedict	Fitzhugh	Lake	Rowe	Underwood
Bishop	Fordyce	Langdon	Rumsey	Varnum
Bottum	Graham	Leggett	Severance	Wakeman
Briggs	A. A. Gregory	Lesley	Sherman	Yeomans
Campbell	W. S. Gregory	McLouth		

58

Mr. Speaker stated the question to be on the amendment to the amendment offered by Mr. Humphrey.

Mr. Speaker put the question whether the House would agree to the said amendment, and it was determined in the affirmative.

{ AYES 55 }
{ NOES 47 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

O. Allen	Briggs	A. A. Gregory	McLouth	Sherman
Atwood	Carrington	W. S. Gregory	Macomber	Shultes
J. W. Babcock	Chamberlin	H. Harris	Miles	A. Smith
Backhouse	G. Clark	Heath	Moss	Southwick

Baker	Corser	Hinds	Norton	Stevens
Belknap	Douglass	Hoppin	Pardee	Speaker
J. Benedict	Farr	Humphrey	J. L. Perry	Underwood
T. H. Benedict	Feller	Lake	Rouse	Wakeman
Bishop	Fisk	Langdon	Rowe	Ward
Blackstone	Fordyce	Leggett	Rumsey	Whiteside
Bottum	Gleason	Lesley	Saverance	Yeomans

55

Those who voted in the negative are,

H. J. Allen	Doyle	Lawyer	Rider	Stewart
Barnes	Elderkin	Le Roy	Robinson	Stratton
Bowne	Ferris	Lewis	Rockwell	Swords
Burroughs	French	Lyon	W. Russell	O. C. Thompson
Bushnell	L. Harris	Maurice	W. F. Russell	Townsend
J. F. Clark	Hewit	Minier	Shall	Varnum
Coffin	Higby	Noble	Sickles	Wheeler
Colvin	Horton	E. Perry	E. T. Smith	Wooster
Congdon	Kinsley	Pool	Snell	Wright
Davis	Kellogg			

47

The question recurring on the amendment as amended,
Mr. Bishop accepted the amendment, and moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

{ AYES 59 }
{ NOES 40 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

O. Allen	Cady	H. Harris	Macomber	A. Smith
Atwood	Carrington	L. Harris	Miles	Southwick
J. W. Babcock	Chamberlin	Heath	Moss	Stevens
Backhouse	G. Clark	Hinds	Norton	Speaker
Baker	Corser	Hoppin	Pardee	Townsend
Belknap	Douglass	Humphrey	J. L. Perry	Underwood
J. Benedict	Feller	Kellogg	Rouse	Varnum
T. H. Benedict	Fisk	Lake	Rowe	Wakeman
Bishop	Fordyce	Langdon	Rumsey	Ward
Blackstone	Gleason	Leggett	Saverance	Whiteside
Bottum	Graham	Lesley	Sherman	Yeomans
Briggs	A. A. Gregory	McLouth	Shultes	

59

Those who voted in the negative are,

H. J. Allen	Congdon	Kinsley	Pool	Snell
Barnes	Davis	Lawyer	Rider	Stewart
Bowne	Elderkin	Le Roy	Robinson	Stratton
Burroughs	Farr	Lewis	Rockwell	Swords
Bushnell	French	Maurice	W. Russell	O. C. Thompson
J. F. Clark	Hewit	Minier	W. F. Russell	Wheeler
Coffin	Higby	Noble	Shall	Wooster
Colvin	Horton	E. Perry	Sickles	Wright

40

Mr. Speaker stated the question to be on the resolution as amended, to wit :

Resolved, That the chairman of the committee on privileges and elections, be authorised to proceed to Yates county to take testimony in the case of the contested seat in that county, and that said chairman shall have power to send for persons and papers.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

{ AYES 58 }
{ NOES 44 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

O. Allen	Cady	Graham	McLouth	Sherman
Atwood	Garrington	A. A. Gregory	Macomber	Shultes
J. W. Babcock	Chamberlin	H. Harris	Miles	A. Smith
Backhouse	G. Clark	L. Harris	Moss	Southwick
Baker	Coffin	Heath	Norton	Stevens
Belknap	Cooke	Hinds	Pardee	Speaker
J. Benedict	Corser	Hoppin	J. L. Perry	Underwood
T. H. Benedict	Douglass	Humphrey	Rouse	Wakeman
Bishop	Farr	Lake	Rowe	Ward
Blackstone	Feller	Langdon	Rumsey	Whiteside
Bottum	Fisk	Leggett	Severance	Yeomans
Briggs	Gleason	Lesley		58

Those who voted in the negative are,

H. J. Allen	Doyle	Lawyer	Robinson	Stratton
Barnes	Elderkin	Le Roy	Rockwell	Swords
Bowne	Ferris	Lewis	W. Russel	O. C. Thompson
Burroughs	French	Maurice	W. F. Russell	Townsend
Bushnell	Hewit	Minier	Shall	Varnum
J. F. Clark	Higby	Noble	Sickles	Wheeler
Colvin	Horton	E. Perry	E. T. Smith	Wooster
Congdon	Kinsley	Pool	Snell	Wright
Davis	Kellogg	Rider	Stewart	44

A message from the Governor was received and read, in the words following, to wit :

EXECUTIVE DEPARTMENT, }
Albany, Feb. 19, 1851. }

To the Assembly :

I communicate herewith a letter received from the Secretary of the Navy, soliciting such action as may be proper on the part of the State to vest in the United States jurisdiction over certain lands at Brooklyn, held and occupied by the general government for the purposes of a navy yard and navy hospital. Accompanying the letter is the draft of an act in the form usually employed in similar cases. Viewing the proposed cession as proper and free from reasonable objection, I deem it my duty to commend the subject to your favorable consideration.

WASHINGTON HUNT.

Which, with the accompanying documents, was referred to a select committee consisting of the Kings county delegation.

A message from the Governor was received and read, in the words following, to wit :

EXECUTIVE DEPARTMENT, }
Albany, Feb. 18th, 1851. }

To the Assembly:

I have this day approved and signed the following entitled bill :
"An act in relation to the liberties of jails."

WASHINGTON HUNT.

A communication was received from the Canal Board in the following words, to wit :

CANAL DEPARTMENT, }
Albany, Feb. 20, 1851. }

The Hon. HENRY J. RAYMOND,
Speaker of the Assembly:

SIR,—The Canal Board to whom was referred by resolution the petition of inhabitants of Buffalo, for the improvement of Black Rock Harbor, herewith transmit to the Legislature the action of the Canal Board upon the subject.

"The report of the State Engineer and Surveyor and commissioner Follett to whom was referred the petition of inhabitants of Buffalo, in relation to the improvement of Black Rock Harbor, having been made to this Board.

"*Resolved*, That the Canal Commissioners have power to furnish the necessary supply of water from Lake Erie for the navigation of the Erie canal, and that no further legislation is necessary for that purpose."

Respectfully submitted,
CHRISTOPHER MORGAN, *Sec. of State.*
PH. C. FULLER, *Comptroller.*
A. HUNT, *Treasurer.*
L. S. CHATFIELD, *Att'y. Gen'l.*
CHARLES COOK, *Canal Com'r.*

Which, with the accompanying papers, was referred to the committee on canals.

Mr. Townsend gave notice of his intention to move to suspend the fourth and 41st rules of order.

On motion of Mr. Varnum,

Resolved, That when this House adjourns, it will adjourn till Monday next.

Mr. Robinson offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the chairman on privileges and election be instructed to take no testimony in regard to how or for whom men voted.

Mr. Backhouse moved that the said resolution be laid upon the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Backhouse, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

Mr. Pardee moved to adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Pardee and it was determined in the negative.

Mr. Wakeman moved to lay the special order on the table for 15 minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wakeman, and it was determined in the negative.

Mr. Speaker announced the special order of the day.

The House then resolved itself into a committee of the whole on the bills relating to the subject of free schools, reported by the majority and minority of the committee on colleges, academies and common schools.

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Heath, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

Mr. Burroughs moved these bills be the special order for Monday next at 12 m.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

Mr. O. Allen moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the affirmative.

{ AYES 54 }
{ NOES 29 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

O. Allen	G. Clark	H. Harris	McLouth	Shultes
Atwood	Congdon	L. Harris	Macomber	Sickles
J. W. Babcock	Corser	Hewit	Maurice	A. Smith
Backhouse	Davis	Hinds	Moss	Stevens
Belknap	Douglass	Hoppin	Pardee	Stewart
J. Benedict	Ferris	Humphrey	J. L. Perry	Speaker
T. H. Benedict	Feller	Kinsley	Rowe	Wheeler
Bishop	Fisk	Kellogg	Rumsey	Whiteside
Briggs	Fordyce	Lawyer	W. F. Russell	Wright
Carrington	Graham	Leggett	Shall	Yoomans
Chamberlin	A. A. Gregory	Lesley	Sherman	54

Those who voted in the negative are,

H. J. Allen	Elderkin	Lewis	Rider	O. C. Thompson
Baker	French	Lyon	Robinson	Townsend

Barnes	Heath	Miles	E. T. Smith	Underwood
Bushnell	Higby	Minier	Snell	Varnum
J. F. Clark	Lake	Noble	Stratton	Wooster
Colvin	Le Roy	E. Perry	Swords	

29

The House, at ten minutes past two o'clock, adjourned.

MONDAY, FEBRUARY 24, 1851.

The House met pursuant to adjournment.

Mr. Varnum announced that pursuant to the seventh rule, the Speaker had designated him to occupy the chair for the day.

Prayer by the Rev. Dr. Kennedy.

The minutes of Friday were read and approved.

Mr. W. F. Russell moved to lay the different order of business on the table and take up that of unfinished business.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. W. F. Russell, and it was determined in the negative.

Mr. Shultes presented eight petitions of citizens of Albany and Rensselaer counties, for an act staying the collection of rents in certain cases, which were read and referred to the select committee on that subject.

Mr. Congdon presented the remonstrance of 200 citizens of Friendship, Allegany co., against the passage of a law compelling country banks to redeem their circulating notes in New-York or Albany at a less rate of discount than at present, which was read and referred to the committee on banks and insurance companies.

Mr. Gleason presented the petition of 55 citizens of Delaware co., for a stay of the collection of rents in certain cases, which was read and referred to the select committee on that subject.

Mr. Macomber presented the petition of citizens of the State of New-York, for land reform and homestead exemption, which was read and referred to the select committee on that subject.

Mr. Bushnell presented two several petitions of inhabitants of the county of Jefferson, for an amendment of the assessment laws, which were read and referred to the select committee on that subject.

Mr. Miles presented the petition of citizens of Tyrone, Steuben co., for a law making Addison a half shire-town, and for the holding of courts alternately at Bath and Addison, in said county, which was read and referred to the committee of the whole when on the bill on that subject.

Mr. Noble presented the petition of citizens of Glen's Falls, Warren co., for a copy of Webster's dictionary for each school district in the State, which was read and referred to the committee on colleges, academies and common schools.

Mr. Tuthill presented the petition of inhabitants of Suffolk county,

praying that the present pilot laws may not be disturbed, which was read and referred to the committee of the whole when on the bill on that subject.

Mr. Lewis presented the remonstrance of the officers and members of the Oswego co. agri. society, against legalizing the acts of a meeting recently held at New Haven, in said county, purporting to be a meeting of the agricultural society of said county, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Lawyer presented two remonstrances of inhabitants of the town of Sharon, against the division of Schoharie co., which was read and referred to the committee on the erection and division of towns and counties.

Mr. Miles presented the petition of citizens of Steuben co., for the repeal of the law in relation to the exemption for tolls on plank roads, which was read and referred to the committee on roads and bridges.

Mr. Southwick presented the memorial of H. Swan and others, of Seneca co., praying for a law to give to fugitives trial by jury, and a right of appeal when their personal liberty is involved, which was read and referred to the committee on the judiciary.

Mr. J. Bonedict presented the remonstrance of A. Trowbridge and 70 others, citizens of Camden, Oneida co., against the passage of a law compelling country banks to redeem their notes at par in New-York, which was read and referred to the committee on banks and insurance companies.

Messrs. Higby, Bushnell and Carrington, severally presented remonstrances on the same subject, which were read and referred to the committee on banks and insurance companies.

Mr. Carrington presented the petition of citizens of Livingston co., praying that surveyors may be allowed to take acknowledgments of deeds, which was read and referred to the committee on the judiciary.

Mr. Humphrey presented the resolutions of the Wyoming county teachers' institute, against the passage of a law to furnish school districts with Webster's dictionary, also for amendment of the school law, which were read and referred to the committee on colleges, academies and common schools.

Mr. Corser presented the petition of supervisors and citizens of the county of Monroe, praying for an act requiring all persons charged before any justice of the peace with any offence triable before a court of special sessions, to be tried before such court without giving bail to appear at the court of oyer and terminer, which was read and referred to the committee on the judiciary.

Mr. Graham presented the petition of citizens of Tompkins county, praying for the recharter of the Sodus canal co., which was read and referred to the committee of the whole on that subject.

Mr. Coffin presented the petition of inhabitants of Otsego co., for the passage of the freeman's law, which was read and referred to the committee on the judiciary.

Mr. Pardee presented the petition of citizens of Ontario co., asking that each school district in the State be supplied with Webster's

dictionary, and the same be paid for out of the library fund, which was read and referred to the committee on colleges, academies and common schools.

Mr. Douglass presented the petition of Henry J. Newton and others of Erie and Chautauque counties, for a law requiring the board of supervisors of each of said counties to raise \$2000, to build a bridge across Cattaraugus creek at Upper Irving, which was read and referred to the committee on roads and bridges.

Mr. Bishop presented the petition of the officers and members of Morning Star lodge, No. 128, I. O. of O. F., at Chatham Four Corners, for a law authorising the trustees of said order to hold and convey read estate for the use of the order, which was read and referred to the committee on the judiciary.

Mr. Underwood presented two petitions of citizens of Cayuga co., praying for the recharter of the Sodus canal co., which were read and referred to the committee of the whole when on that subject.

Mr. Le Roy presented the petition of inhabitants of Onondaga co., to prohibit the taking of fish from Oneida lake with any seine or net, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Rouse presented the petition of 116 freeholders of Westmoreland, Vernon and Verona, in the county of Oneida, for appointment of commissioners to lay out a highway in said town, which was read and referred to the committee of the whole on that subject.

Mr. Baker presented the petition of W. B. Sprague, Duncan Kennedy, B. P. Staats, and others, to have Webster's dictionary placed in each school district in the State, which was read and referred to the committee on colleges, academies and common schools.

Mr. Hoppin presented the petition of A. D. E. Wheeler and others, of Madison co., for the protection of free citizens, and in relation to the fugitive slave law, which was read and referred to the committee on the judiciary.

Mr. Corser presented the petition of citizens of Monroe, for aid to the Genesee college, which was read and referred to the committee on colleges, academies and common schools.

Mr. Severance presented two petitions of 1000 citizens of the counties of Erie, Wyoming and Cattaraugus, asking for the repeal of an act entitled, "An act to confirm certain securities and conveyances, of land, passed March 28, 1850, and to test the title of the Farmers' Loan and trust co. to certain lands," which were read and referred to the committee on the judiciary.

Mr. J. F. Clark presented the petition of 110 inhabitants of Onondaga co., for a law to protect the rights of citizens of this State, which was read and referred to the committee on the judiciary.

Mr. G. Clark presented the petition of inhabitants of New-York, to exempt the burying grounds and religious societies from taxation, which was read and referred to the select committee on that subject.

Mr. Baker presented the petition of inhabitants of Bushwick, for a law to lay out streets in said town, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Cady presented a communication from the mayor of Brooklyn in behalf of the common council of that city, remonstrating against the passage of the bill to vest certain lands in the United States, which was read and referred to the select committee on that subject.

Mr. Underwood presented the petition of the Cayuga nation of Indians for the payment of annuities due to the said nation from the State of New-York, which was read and referred to the committee on Indian affairs

Mr Underwood moved that the usual number of said petition be printed for the use of the House, and 100 additional copies for the use of the Indians.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Underwood, and it was determined in the affirmative.

Mr. Maurice presented the remonstrance of Edward J. Woolsey, Henry Barclay and others, against the proposed amendment of the act to establish a free school in district No. 3 in the town of Newtown, which was read and referred to the committee on colleges, academies and common schools.

Mr. Higby presented a communication from officers of a public meeting in Bath, praying for an amendment of the charter of said village, which was read and referred to the select committee consisting of the Steuben county delegation.

Mr. Miles presented a communication from officers of a public meeting in the village of Corning, for an amendment of the charter of said village, which was read and referred to the select committee consisting of the Steuben county delegation.

Mr. J. Benedict presented the remonstrance of sundry citizens of Utica, against any law authorising school districts to purchase Webster's unabridged dictionary, which was read and referred to the committee on colleges, academies and common schools.

Mr. Burroughs presented the petition of inhabitants of Genesee co., for relief to settlers upon the Tonawanda reservation, which was read and referred to a select committee on that subject.

Mr. Maurice presented the petition of 50 citizens of Queens co., to prohibit the introduction of nuisances into that county, which was read and referred to the committee on the judiciary.

Mr. Fordyce presented the petition of Joseph Halsey and 57 other inhabitants of Henrietta. Monroe co., for an amendment of the charter of the city of Rochester, relative to fresh meats, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Townsend presented a memorial from the mayor, aldermen and commonalty of the city of New-York, praying the passage of an act in relation to justices' courts in the city of New-York, and to divide the sixth judicial district therein, which was read and referred to a select committee consisting of the New-York delegation.

Mr. Wakeman presented the petition of Ernestine L. Rose of the city of New-York, together with hundreds of others, praying that woman may be restored to her natural and inalienable rights both as

to her person and property, which was read and referred to the committee on grievances.

Mr. Severance presented the remonstrance of 75 merchants and citizens of Buffalo, against any change in the law in relation to the redemption of bank notes at Albany and New-York, which was read and referred to the committee on banks and insurance companies.

Mr. Cooke presented the petition of 68 inhabitants of Lexington, Greene co., for a law directing the Superintendent of Common Schools to pay certain monies to county treasurer, which was read and referred to the committee on colleges, academies and common schools.

Mr. Cady presented the petition of the mayor and common council of Brooklyn, for amendments to city charter, which was read and referred to the select committee consisting of the Kings county delegation.

Mr. Congdon presented one petition of sundry inhabitants of Cato, Allegany co., Mr. Kellogg one petition of 470 voters and 372 non-voters of Cortland co., Mr. L. Harris two petitions of citizens of Norwich, Chenango co., Mr. Colvin two petitions containing the names of 160 citizens of Cayuga co., Mr. L. Bushnell three petitions of inhabitants of Jefferson co., Mr. Chamberlin one petition of 150 citizens of Livingston co., Mr. Corser two petitions of citizens of Monroe co., Mr. Yeomans one petition of 110 inhabitants ofodus, Wayne co., Mr. Graham one petition of citizens of the town of Hector, Mr. Severance two petitions of inhabitants of Erie co., Mr. Higby one petition of citizens of Auburn, Cayuga co., Mr. Pardee one petition of citizens of Ontario co., Mr. Carrington one petition of sundry inhabitants of Steuben co., Mr. Le Roy one petition of citizens of Plainville, Onondaga co., Mr. Humphrey three petitions signed by 224 residents of Wyoming co., Mr. Ferris one petition of sundry inhabitants of Tompkins, all for the prohibition of the sale of intoxicating drinks under certain penalties, which were read and referred to the select committee on that subject.

Mr. Belknap presented the petition of citizens of Newburgh, Orange co., Mr. T. H. Benedict the petition of electors of Fishkill Landing, Mr. Bishop the petition of Wesley P. Gallup and 45 citizens of Clermont, Mr. Bowne the petition of 22 inhabitants of Putnam co., Mr. Bradley two petitions of citizens of Cayuga co., Mr. Burroughs the petition of 500 inhabitants of Brunswick, Rensselaer co., Mr. Bushnell two petitions of sundry citizens of Jefferson co., Mr. Campbell the petition of sundry inhabitants of Otsego co., Mr. Chamberlin two petitions of inhabitants of Livingston co., Mr. Coffin the petition of inhabitants of Otsego co., Mr. Colvin three petitions signed by 198 citizens of Cayuga co., Mr. Cooke two petitions of electors of Greene co., Mr. Doyle the petition of inhabitants of Franklin, Delaware co., Mr. Feller the petition of Isaac Lang and 61 citizens of Rensselaer co., Mr. Ferris 14 petitions of inhabitants of Tompkins co., Mr. Higby the petition of inhabitants of Steuben co., Mr. Humphrey the petition of citizens of Warsaw, Wyoming co., Mr. Kellogg the petition of 99 inhabitants of Cortland co., Mr. Maurice

five petitions signed by 186 inhabitants of Queens co., Mr. Miles the petition of sundry citizens of Steuben co., Mr. Noble the remonstrance of 274 citizens of Warren co., Mr. Robinson two petitions of sundry inhabitants of Dutchess co., Mr. Rumsey the petition of sundry inhabitants of Orange co., Mr. Severance the petition of inhabitants of Concord, Erie co., Mr. Shall the petition of 70 citizens of Herkimer co., Mr. Sherman the petition of 173 inhabitants of Dutchess co., Mr. Sickles the petition of 60 inhabitants of the town of Orange, Mr. E. T. Smith four petitions of citizens of Suffolk co., Mr. Southwick the petition of 51 voters of Seneca co., Mr. Tuthill two petitions of inhabitants of Suffolk county, and Mr. Wooster the petition of 27 citizens of Herkimer, in relation to free schools, which was read and referred to the committee of the whole.

Messrs. Macomber, Townsend, G. Clark and Ward presented the petition of inhabitants of the city of New-York and Mr. Briggs the petition of inhabitants of Westchester co., in favor of the repeal of the death penalty, which were read and referred to the select committee.

Mr. Minier presented the petition of citizens of the county of Chemung for a grant of \$10,000 to Genesee College, which was read and referred to the committee on colleges, academies and common schools.

Mr. Lesley, from the committee on roads and bridges, to which was referred the bill entitled, "An act in relation to the width of highways in the town of Ghent," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the petition of inhabitants of Montgomery, Orange co., for the incorporation of the Rural academy in said town, reported, and asked and obtained leave to bring in a bill entitled, "An act to incorporate the Rural high school of Montgomery, Orange co.," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the petition of inhabitants of school district No 3, in the town of Flushing, for the passage of an act establishing a free school in said district, reported the following resolution, to wit:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the petitions and remonstrances of citizens of Coboes, in relation to free schools in said village, reported the following resolution, to wit:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the petition of W. Howard and others, for an appropriation to place Blake's Farmers' every day book in each of the common school libraries in this State, reported the following resolution, to wit :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Underwood moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Underwood, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the petition of Jas. Malden, praying that a portion of the library money be appropriated towards the purchase of the History of the United States exploring expedition for the use of common school libraries, reported the following resolution, to wit :

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the petition of Derby Miller & Co., praying that the book entitled, "the new clerk's assistant, or every man his own lawyer," may be purchased for the several district school libraries in the State, reported the following resolution,

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Wheeler from the committee on ways and means, to which was referred the memorial of the society for the reformation of juvenile delinquents, reported, and asked and obtained leave to bring in a bill entitled, "An act to appropriate money to the society for the reformation of juvenile delinquents in the city of New-York, and to enable them to erect new buildings," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Wheeler, from the committee on ways and means, to which was referred a resolution heretofore offered by Mr. Dennison in relation to the erection of a monument to the memory of Gen. Herkimer, reported the same for the consideration of the House.

Ordered, That the said resolution be committed to the committee of the whole.

Mr. Lyon from the committee on public lands; to which was referred the petition of John Merrill for relief, reported, and asked and obtained leave to bring in a bill entitled, "An act to indemnify John Merrill for the wrongful re-sale by the Surveyor General of lot No. 8 of block No. 6 in the village of Oneida Castle in the county of Oneida," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lyon, from the committee on public lands, to which was referred the petition of William E. Worden and Morgan L. Worden of Annsville, Oneida co., for relief, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the commissioners of the land office to correct errors in the sale of lands at Annsville, Oneida co.," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Feller from the committee on agriculture, to which was referred the bill entitled. "An act to incorporate the Watson agricultural institute," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Sherman, from the committee on claims, to which was referred the petition of Wm. Buel praying for the passage of an act extending the time for the rehearing before the Canal Board in the case of Solomon Parmelee and others, reported, and asked and obtained leave to introduce a bill entitled, "An act to extend the time for a rehearing before the Canal Board, in the case of Solomon Parmelee," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Speaker announced the special order of the day.

Mr. O. Allen moved to suspend the special order for 15 minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the affirmative.

Mr. J. L. Perry, from the committee on medical colleges and societies, to which was referred the petitions and remonstrances of citizens of Buffalo, in relation to an appropriation to the medical department of the University of Buffalo, reported the following resolution, to wit :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. O. Allen moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the negative.

Mr. Tuthill, from the minority of said committee, reported a bill entitled, "An act making an appropriation to the medical department of the University of Buffalo," which was read the first time, and by

unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Ward, from the committee on charitable and religious societies, to which was referred the bill entitled, "An act to incorporate the Marshall infirmary in the city of Troy," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Ward, from the committee on charitable and religious societies, to which was referred the bill entitled, "An act to incorporate the asylum for friendless boys in the city of New-York," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Bishop, from the committee on privileges and elections, to which was referred the petition of inhabitants of Yates co., for the passage of a law prohibiting the use of jails for the imprisonment of fugitive slaves, reported the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. O. Allen, from the committee on canals, to which was referred the petition of inhabitants of Steuben and Chemung counties, praying that certain damages sustained in consequence of breaks in the Chemung canal and feeder be ascertained and paid, reported the following resolution :

Resolved, That the committee be discharged from the further consideration of the petition, and that it be referred to the committee of the whole having in charge Assembly bill No. 85.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. O. Allen, from the majority of the committee on canals, to which was referred the bill entitled, "An act in relation to the duties and powers of canal superintendents," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Pending the decision on the report of the committee, Mr. Speaker announced the special order of the day.

Mr. O. Allen moved to postpone the same for ten minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the affirmative.

Mr. O. Allen moved to recommit the same to the committee on canals.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the affirmative.

By unanimous consent,

Mr. Elderkin offered for the consideration of the House, a resolution, in the words following, to wit:

Resolved, That the Hon. John H. Wooster be associated with the chairman of the committee on privileges and elections, in taking the testimony in the case of the contested seat in this House from the county of Yates.

Mr. Feller moved to amend by adding H. J. Campbell, which amendment was accepted by Mr. Elderkin.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Briggs, from the select committee consisting of the Westchester co. delegation to which was referred the petition in relation to the bridges over Croton river, reported, and asked and obtained leave to bring in a bill entitled, "An act in relation to the bridges over Croton river, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. Hewitt, and by unanimous consent,

Resolved, That Assembly bill No. 135, being an act to incorporate the Northern New-York live stock insurance co., be referred back to a select committee composed of the delegations from the counties of St. Lawrence, Franklin and Clinton, and that it retain its place on the general orders.

By unanimous consent,

Mr. Backhouse, from the select committee consisting of the Kings co. delegation, to which was referred the communication from the Governor transmitting certain papers from the Secretary of the Navy, in relation to certain lands in the city of Brooklyn, reported, and asked and obtained leave to bring in a bill entitled, "An act to test in the United States of America jurisdiction to land in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Underwood offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That a committee of nine members be appointed, whose duty it shall be to examine and read all bills committed to a committee of the whole, and from time to time to report such bills, as in their unanimous opinion may with propriety be referred to select committees to report complete; but no bill shall be thus referred against the passage of which there is a remonstrance, or any bill appropriating the public money or property, or relating to a moneyed incorporation; all bills thus recommended shall be referred to select committees unless objected to by ten members.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

On motion of Mr. Ward, and by unanimous,

Resolved, That the trustees of the capitol be requested forthwith to procure two steam gauges to be attached to the boiler in use under

this hall, one of which shall be a plain iron tube, bent in the usual manner, and of sufficient length to carry steam of 20 pounds to the inch ; to be applied directly to the boiler, for the use of the engineer in charge, the other to be one of Stillman's guages neatly fitted up, and connected with the boiler by a pipe, and placed in this hall in such position that the pressure indicated may be conveniently noticed by any person on this floor.

Mr. Speaker then announced the special order of the day to be the bills in relation to free schools.

The House then resolved itself into a committee of the whole on said bills.

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Heath, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

A message from the Senate was received and read, informing that they had non-concurred in the passage of the bill entitled, "An act to change the name of the town of Schuyler Falls in the county of Clinton."

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bills entitled as follows:

"An act authorising the canal commissioners to repair the public highway across the foot of Seneca Lake, and to protect the banks of the Cayuga and Seneca canal against injury from the water of said lake," which was read the first time and by unanimous consent was also read a second time, and referred to the committee on canals.

"An act to authorise railroad corporations of this state to subscribe to the capital stock of the great Western railroad, Canada West," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to authorise the ministers, elders and deacons of the Reformed Dutch church of the town of German Flats to sell and convey certain lands in said county," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

"An act to provide for the appraisal and payment of canal damages to Oliver Barker," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to release the interest of this State in certain lands, of which John Jackson died possessed to Jemima Jackson his widow," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorise the commissioners of highways of the town of Schodack to borrow money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to provide for the re-appraisal and payment of canal damages to Hiram Stone," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on grievances.

"An act to provide for the re-appraisal and payment of canal damages to Benjamin Richardson jr.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on grievances.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act in relation to the Troy cemetery association."

Mr. Speaker put the question whether the House would agree to the amendments of the Senate, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	J. F. Clark	H. Harris	Macomber	Shultes
Atwood	Coffin	L. Harris	Maurice	Sickles
R. Babcock	Colvin	Heath	Miles	E. T. Smith
Backhouse	Cooke	Hewit	Minier	Southwick
Baker	Congdon	Higby	Noble	Stewart
Barnes	Dennison	Hinds	Pardee	Stratton
Belknap	Doyle	Horton	Rider	Swords
J. Benedict	Elderkin	Hoppin	Robinson	O. C. Thompson
T. H. Benedict	Ellwood	Kinsley	Rockwell	Townsend
Blackstone	Ferris	Kellogg	Rouse	Tuthill
Bottom	Feller	Lake	Rumsey	Underwood
Bowne	Fisk	Lawyer	W. Russell	Varnum
Bradley	Fitzhugh	Leggett	W. F. Russell	Wakeman
Briggs	Fordyce	Le Roy	Severance	Wheeler
Bushnell	French	Lesley	Shall	Wooster
Cady	Gilbert	Lewis	Sherman	Yeomans
Carrington	Gleason	McLouth		

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Ordered, That the Clerk return the said bill to the Senate, with a message informing, that the Assembly had concurred in the said amendments, and amended the same accordingly.

The Senate returned the joint resolutions relating to the destruction of cancelled banks notes, with a message informing that they had concurred in the same with certain amendments therewith delivered.

Mr. Speaker put the question whether the House would agree to the said amendments, and it was determined in the affirmative.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act for the relief of Henry G. Beach, of the town of Lysander."

On motion of Mr. Le Roy,

The amendment of the Senate was amended by striking out after the word "Onondaga," in the 7th line of section one, to "and," in the tenth line.

Mr. Speaker put the question whether the House would agree to the amendments of the Senate, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 80 }
 { NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	J. F. Clark	Graham	Lewis	Sherman
Atwood	Coffin	A. A. Gregory	McLouth	Shultes
R. Babcock	Colvin	H. Harris	Macomber	Sickles
J. W. Babcock	Cooke	L. Harris	Maurice	E. T. Smith
Backhouse	Corser	Heath	Miles	Snell
Baker	Dennison	Hewit	Minier	Southwick
Barnes	Douglass	Higby	Noble	Stevens
Belknap	Doyle	Hinds	Pardee	Stilwell
Blackstone	Elderkin	Horton	E. Perry	Stratton
Bottum	Ferris	Hoppin	Rider	O. C. Thompson
Bowne	Feller	Kinsley	Rockwell	Townsend
Bradley	Fisk	Kellogg	Rouse	Tuthill
Brayton	Fitzhugh	Lake	Rumsey	Underwood
Burroughs	Fordyce	Lawyer	W. F. Russell	Wakeman
Bushnell	French	Le Roy	Severance	Wooster
Cady	Gleason	Lesley	Shall	Yeomans 80

Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have concurred in their amendments, with an amendment

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows :

"An act incorporating the Sackett's Harbor and Saratoga railroad co.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bill entitled as follows :

"An act to amend section six, of title two, of the act entitled, 'An act to condense the several acts relating to the village of Skaneateles,' passed April 8, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the Onondaga delegation.

A message from the Senate was received and read, informing that they had passed without amendment, the bill entitled, as follows:

"An act to authorise the election of three trustees and a district clerk in school district No. 16 in the village of Delhi."

Ordered, That the Clerk deliver said bill to the Governor.

By unanimous consent,

Mr. Underwood gave notice that he would, at an early day, move for a reconsideration of the resolution reported this morning from the committee on colleges, academies and common schools, in regard to the petitions of Derby and co., James C. Derby and James W. Alden.

By unanimous consent,

Mr. Backhouse gave notice that he would move the suspension of the fourth rule of this House so far as to allow the act to vest jurisdiction in the United States to land in the city of Brooklyn, to be referred to a select committee to report complete.

By unanimous consent,

Mr. Wakeman from the select committee consisting of the New-York delegation, to which was referred the memorial of the mayor, aldermen and commonalty of the city of New-York, for the passage of an act authorising the common council of New-York to repeal section 12 of title 4 of an ordinance passed by said common council, and approved of by the mayor on the 22 day of February 1844, reported, and asked and obtained leave to bring in a bill entitled, "An act authorising the common council of New-York to repeal section 12, of title 4 of an ordinance passed by said common council, and approved of by the mayor on the 22 day of January 1844," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Maurice gave notice that he would, at an early day, ask leave to introduce a bill to authorise the county judge of Queens county to sign the certificate of the proof of certain wills recorded in the surrogates office of that county.

By unanimous consent,

Mr. Minier gave notice that he would, at some future time, ask leave to introduce a bill to authorise the election of a local officer to discharge the duties of county judge and surrogate in the county of Chemung.

By unanimous consent,

Mr. Higby from the select committee consisting of the Steuben county delegation, to which was referred the petition of the supervisors &c., of the county of Steuben for the passage of an act extending the time for the collection of taxes in the town of Bath in said county, reported, and asked and obtained leave to introduce a bill entitled, "An act to extend the time for collecting taxes in the town of Bath in the county of Steuben," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. R. Babcock asked and obtained leave to bring in a bill entitled, "An act to extend the time for the collection of taxes in the towns of Bethlehem and New Scotland, Albany county," which was read the first time and by unanimous consent was also read the second time, and referred to a select committee consisting of the Albany county delegation.

Mr. Burroughs moved that the bill entitled, "An act to provide for the support of common schools," be made the special order for to morrow at 12 o'clock.

Mr. Severance moved to amend by adding the bill entitled, "An act to establish free schools throughout the State."

Mr. Speaker put the question, no quorum voted.

{	AYES	35	}
{	NOES	28	}

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Atwood	Graham	Lake	Rouse	Southwick
Belknap	A. A. Gregory	Lesley	Rumsey	Swords
T. H. Benedict	H. Harris	Lewis	Ryan	O. C. Thompson
Cady	L. Harris	McLouth	Severance	Townsend
Chamberlin	Heath	Macomber	Sherman	Tuthill
Corser	Hinds	Miles	Shultes	Underwood
Feller	Hoppin	Pardee	E. T. Smith	Wakeman 35

Those who voted in the negative are,

R. Babcock	J. F. Clark	Fordyce	Kellogg	Rockwell
Barnes	Colvin	French	Le Roy	W. F. Russell
Bowne	Congdon	Gleason	Minier	Shall
Bradley	Davis	Higby	Noble	Stilwell
Burroughs	Dennison	Horton	Robinson	Wooster
Bushnell	Elderkin	Kinsley		28

On motion of Mr. Pardee,
The House, at half-past 2 o'clock, adjourned.

TUESDAY, FEBRUARY 25, 1851.

The House met pursuant to adjournment, and was called to order by the Clerk.

Prayer by the Rev. Mr. Jeffrey,

The Clerk announced to the House that the Hon. Henry J. Raymond, Speaker, was not in attendance, (being absent from the city,) and that the time for which Mr. Varnum was appointed Speaker, under the seventh standing rule, had expired.

On motion of Mr. O. Allen,

Resolved, That Joseph B. Varnum jr., be and he is hereby appointed Speaker pro tem.

The minutes of yesterday were read and approved.

On motion of Mr. O. Allen, and by unanimous consent,

Resolved, That a committee be appointed to wait upon the Hon. the Senate and inform that body of the election of Joseph B. Varnum jr., Speaker pro tem.

On motion of Mr. Wheeler, and by unanimous consent,

Resolved, That a committee be appointed to wait upon his Excellency the Governor, and inform him of the election of Joseph B. Varnum jr., as Speaker pro tem.

Mr. Speaker announced the following committee, under the resolution of Mr. O. Allen: Messrs. O. Allen and Elderkin.

Mr. Speaker announced the following committee, under the resolution of Mr. Wheeler: Messrs. Wheeler and Burroughs.

Mr. Wheeler, from the committee appointed to inform the Gover-

or of the election of Mr. Varnum as Speaker pro tem., appeared and reported that the committee had performed the duty assigned them.

Mr. O. Allen, from the committee appointed to inform the Senate of the election of Mr. Varnum as Speaker pro tem., appeared and announced that the committee had performed the duty assigned them.

Mr. A. A. Gregory presented the petition of citizens of Machias, Cattaraugus co., for the incorporation of a water company, with the corporate name of Ishua hydraulic co., which was read and referred to the committee on the judiciary.

Mr. Douglass presented two petitions of H. N. Farnham and 134 other electors of Chautauque co., to abolish tolls on the central railroads, which were read and referred to the committee on railroads.

Mr. Colvin presented the petition of H. B. Rathbone and 59 others, citizens of Cayuga co., to pass a law compelling the railroad co. between Syracuse and Rochester to lay down thereon a double track within 18 months, which was read and referred to the committee of the whole when on that subject.

Mr. Macomber presented the petition of citizens of Williamsburgh, for the passage of the citizens' charter incorporating said city, which was read and referred to a select committee consisting of the Kings co. delegation.

Mr. Ryan presented the petition of citizens of New York, that the commissioners of emigration be elected in the same manner as the governors of the alms house, which was read and referred to the committee on the judiciary.

Mr. O. Allen presented the petition of 440 firemen and others of the city of Buffalo, for an amendment of the act passed March 30, 1849, entitled, "An act to amend the acts in relation to insurance companies," which was read and referred to a select committee consisting of the Erie co. delegation.

Mr. Graham presented the petition of inhabitants of Tompkins co., for the renewal of the charter of the Sodus canal co., which was read and referred to the committee of the whole when on that subject.

Mr. Moss presented the petition of the chiefs, head men and warriors of the Tuscarora nation, situated in Niagara co., for an appropriation for the support of schools in said nation, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Norton presented the petition of inhabitants of Allegany co., for an act incorporating an academy at Rushford, in said co., which was read and referred to the committee on colleges, academies and common schools.

Mr. Ferris presented the petition of inhabitants of the village of Ithaca, requiring the Auburn and Rochester railroad co. to remove obstructions occasioned by their embankment across the Cayuga lake, which was read and referred to the committee on railroads.

Mr. Fitzhugh presented the petition of E. W. Sabin and 1164 others, inhabitants of Monroe co., for a penal law prohibiting the removal from this State against his will of any inhabitant thereof, which was read and referred to the committee on the judiciary.

Mr. Congdon presented the petition of citizens of Allegany co.,

praying that grand juries may be dispensed with at courts of sessions in said co., which was read and referred to the committee on the judiciary.

Mr. Maurice presented the remonstrance of 37 citizens of Williamsburgh, against the passage of the Williamsburgh city charter, which was read and referred to a select committee on that subject.

Mr. Bottum presented four petitions of citizens of Wayne co., for the renewal of the charter of the Sodus canal co., which was read and referred to the committee of the whole on that subject.

Mr. Brayton presented the remonstrance of 50 voters of Rome, Oneida co., against the passage of a law for the election of a police justice in the village of Rome, which was read and referred to the committee of the whole.

Mr. Fitzhugh presented the petition of William Pitkin and 220 others, citizens of Rochester, against any amendment of the charter of said city, which was read and referred to a select committee.

Mr. Snell presented two petitions of the directors of the Palatine and Ephratah plank road company, for the repeal of the act which prohibits the erection of a bridge within one mile of Fort Plain bridge, which were read and referred to the committee on roads and bridges.

Mr. Sickles presented three several petitions of 156 residents of Rockland county, asking that the New-York and Erie railroad co., be compelled to carry out the provisions of their original charter, which were read and referred to the committee on railroads.

Mr. Bottum presented the petition of citizens of Wayne co., Mr. Brayton three petitions of citizens of Oneida co., Mr. Bushnell one petition of 112 citizens of Jefferson co., Mr. Bradley one petition of citizens of Cayuga co., Mr. Humphrey one petition of 75 citizens of Wyoming co., Mr. Noble one petition of citizens of Warren co., Mr. Rowe one petition of citizens of Genesee co., Mr. Severance two petitions of citizens of Erie co., Mr. A. Smith two petitions of citizens of Chautauque co., for the prohibition of the traffic in intoxicating drinks, which were read and referred to a select committee.

Mr. Bowne presented the petition of 58 inhabitants of Putnam co., Mr. Graham the petition of citizens of Steuben co., Mr. Higby four petitions of citizens of Steuben co., Mr. Leggett one petition of citizens of Saratoga co., Mr. Maurice one petition of 25 citizens of Queens co., Mr. Moss one petition of 36 inhabitants of Niagara co., Mr. Rouse one petition of citizens of Oneida co., Mr. Robinson one petition of citizens of Dutchess co., Mr. Sherman two petitions of citizens of Dutchess co., Mr. Stewart one petition of citizens of Fulton co., Mr. Snell one petition of citizens of Montgomery co., Mr. Stillwell one petition of citizens of St. Lawrence co., for the repeal or modification of the free school law, which were read and referred to the committee of the whole.

Mr. Langdon presented the petition of citizens of Columbia co., for an act to stay the collection of rents in certain cases, which was read and referred to a select committee.

Mr. Brayton presented the remonstrance of citizens of Rome,

against par redemption, which was read and referred to the committee on banks and insurance companies.

Mr. Coffin presented the petition of 75 inhabitants of Otsego co., Mr. Stevens the petition of John Burke and 35 others of Onondaga co., Mr. Whiteside the memorial of sundry citizens of Washington co., Mr. A. Smith the petition of citizens of Chautauque co., for the better protection of the free citizens of this State, which were read and referred to the committee on the judiciary.

Mr. Benedict presented the petition of sundry citizens of Whites-town, Oneida co., for a law authorising notaries public to take oaths and acknowledgments, which was read and referred to the committee on the judiciary.

Mr. French presented the petition of electors of Madison co., for an act prohibiting treasonable and seditious meetings with proper penalties, and a remonstrance against the Coffin bill, which was read and referred to the committee on the judiciary.

Mr. Tuthill presented the petition of Geo. W. Lyon and 80 other inhabitants of Suffolk co., asking for the extension of First st. in Greenport, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Jayne presented the petition of sundry inhabitants living contiguous to the Penn Yan and Brockport plank road for an act to liberate them from one-half of their road tax, which was read and referred to the committee on roads and bridges.

Mr. Rowe presented 14 remonstrances signed by 16 chiefs and 121 warriors of the Tonawanda band of the Seneca tribe of Indians, and by 2238 citizens of Genesee co., and vicinity against any law staying proceedings in certain suits instituted by them, for quiet enjoyment of their lands, and against the repeal of any law of this state heretofore passed for the protection of their rights, which were read and referred to a select committee.

Mr. C. Robinson presented the petition of Russel Comstock for an investigation of his alleged discoveries in agriculture, which was read and referred to the committee on agriculture.

Mr. Lesley, from the committee on roads and bridges, to which was referred the petition of the Jamaica and Brooklyn plank road co., for authority to increase their capital stock, reported, and asked and obtained leave to bring in a bill entitled, "An act authorising the Brooklyn and Jamaica plank road co. to increase their capital," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the petition of inhabitants of the village of Prattburgh, Steuben co., praying that said village may be erected into a separate road district, reported, and asked and obtained leave to introduce a bill entitled, "An act in relation to the road district in the village of Prattsburgh, in the county of Steuben," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which

was referred the bill from the Senate entitled, "An act to authorize the commissioners of highways of the town of Schedack to borrow money," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the petition of inhabitants of Steuben and Chemung counties, praying for repairs, &c., to a certain ditch and bridges along the Chemung canal feeder, reported the following resolution :

Resolved, That the committee be discharged from the further consideration of the petition, and that it be referred to the committee on canals.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. O. Allen, from the committee on canals, to which was referred the bill from the Senate entitled, "An act authorising the Canal Commissioners to repair the public highway across the foot of Seneca Lake, and to protect the banks of the Cayuga and Seneca canal against injury from the water of said lake," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. O. Allen, from the committee on canals, to which was referred the petition of Bethel Judd, for relief from the overflowing of his lands, reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of Bethel Judd," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. O. Allen, from the committee on canals, to which was referred the petitions of citizens of the city of Oswego, for the passage of a law to authorize the Canal Commissioners to pay for the construction of a certain bridge, reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of certain citizens of Oswego," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. O. Allen, from the committee on canals, to which was referred the bill entitled, "An act in relation to the duties and powers of canal superintendents," reported in favor of the passage of said bill, and that it be referred to the committee of the whole having in charge the bill entitled, "An act authorising the Canal Appraisers to ascertain and award damages in certain cases."

Mr. Burroughs moved to postpone the consideration of the report till the 4th day of March next.

After debate, Mr. Burroughs withdrew his motion, and Mr. J. L. Perry renewed it.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. J. L. Perry, and it was determined in the negative.

Mr. Stewart moved to recommit the bill to the committee on canals, with instructions to make a written report stating the reasons for recommending the passage of the bill.

Mr. A. Smith moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then announced the question to be on adopting the report of the committee and referring the bill.

Mr. Speaker put the question whether the House would agree to the report of the said committee, and it was determined in the affirmative.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to change the name of Wm. H. Pearse, of Bolton, Warren co.," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act in relation to the indictment and place of trial of nuisances," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act giving criminal courts in the county of Albany power to send certain criminals to the Albany co. penitentiary instead of to a state prison," reported the following resolution:

Resolved, That the committee on the judiciary be discharged from the further consideration of the bill, and that it be referred to the committee on state prisons.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to change the names of Louisa Handley and Montague Handley to Louisa Handley Hall and Montague Handley Hall," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of citizens of the county of Madison, for the passage of a law authorising and empowering notaries public to take oaths, affirmations and acknowledgments, reported the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of sundry inhabitants of Montgomery co., praying that Wm. E. Stedwell be allowed to take, hold and convey real estate, reported the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. L. Harris, from the committee on militia and public defence, to which was referred the bill entitled, "An act to amend an act entitled, 'An act to organize a separate battalion in the county of Richmond,' passed March 23, 1850," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Stevens, from the committee on the manufacture of salt, to which was referred the bill entitled, "An act in relation to the Onondaga salt springs," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Wakeman, from the committee on commerce and navigation, to which was referred the petition of sundry inhabitants of the county of Monroe, for the establishment of a ferry across the Genesee river at the mouth thereof, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise Phineas B. Cook to establish and continue a ferry across the Genesee river from the village of Charlotte to the opposite shore," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole

Mr. Wakeman, from the committee on commerce and navigation, to which was referred the bill entitled, "An act to authorise William Beard and others to construct and build docks, wharves &c., in the sixth ward of the city of Brooklyn," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Wakeman, from the committee on commerce and navigation, to which was referred the petitions and remonstrances relating to the rechartering of a ferry to be owned by John Garretson, reported the following resolution.

Resolved, That the committee on commerce and navigation be discharged from the further consideration of the petitions, and that they

be referred to a select committee consisting of the delegations from Orange and Putnam counties.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Rumsey, from the committee on trade and manufactures, to which was referred the petition of the president and directors of the New-York and Montgomery mining company, for an amendment to their charter, and for other purposes, reported in writing, and asked and obtained leave to bring in a bill entitled, "An act to amend an act entitled, 'An act to incorporate the New-York and Montgomery mining company,'" which was read the first time, and by unanimous consent was also read the second time; and committed to the committee of the whole.

(See Doc. No. 79.)

Mr. Backhouse, from the committee on grievances, to which was referred the petition of Hezekiah Sage for relief, reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of Hezekiah Sage," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Backhouse, from the committee on grievances, to which was referred the Senate bill entitled, "An act to provide for the reappraisal and payment of canal damages to Hiram Stone," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Backhouse, from the committee on grievances, to which was referred the Senate bill entitled, "An act to provide for the reappraisal and payment of canal damages to Benjamin Richardson jr.," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Blackstone, from the select committee consisting of the New-York delegation, to which was referred the memorial of the mayor, aldermen and commonalty of the city of New-York, praying for the passage of an act to provide for the appointment of an additional number of commissioners of deeds in said city, reported, and asked and obtained leave to bring in a bill entitled, "An act to provide for the appointment of an additional number of commissioners of deeds for the city and county of New-York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Wakeman, from the select committee on assessment and taxation, to which was referred the petition of inhabitants of the State of New-York, for land reform and homestead exemption, reported the following resolution :

Resolved, That the select committee on taxation be discharged from

the further consideration of the petition, and that it be referred to the committee on public lands.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

Mr. Higby from the select committee consisting of the Steuben co., delegation, to which was referred a communication enclosing certain resolutions, passed at a meeting of the citizens of Bath, Steuben co., reported, and asked and obtained leave to bring in a bill entitled, "An act to amend the charter of the village of Bath, Steuben co.," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Higby, from the select committee consisting of the Steuben co. delegation, to which was referred the petition of citizens of Corning, Steuben co., praying for an amendment to their charter, reported, and asked and obtained leave to bring in a bill entitled, "An act to amend the act entitled, 'An act to provide for the incorporation of villages,' passed Dec. 7, 1847, so far as relates to the village of Corning, in the county of Steuben," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Norton, from the select committee on that subject, to which was referred the petition of Elizabeth Jenkins, asking for a confirmation of her title to certain real estate, reported, and asked and obtained leave to bring in a bill entitled, "An act to vest in Elizabeth Jenkins the title to certain real estate," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. R. Babcock, from the select committee consisting of the Albany county delegation, to which was referred the bill entitled, "An act to extend the time for the collection of taxes in the towns of Bethlehem and New Scotland, Albany county," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Tuthill moved to reconsider the vote taken yesterday on concurring in the Senate's amendment to the bill entitled, "An act for the relief of the Shinnecock tribe of Indians."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Tuthill and it was determined in the affirmative.

{ AYES 94 }
{ NOES 00 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen
O. Allen
Atwood

Carrington
Chamberlin
G. Clark

Gleason
A. A. Gregory
Greene

Miller
Minier
Mason

A. Smith
B. T. Smith
Stall

R. Babcock	J. F. Clark	H. Harris	Pardee	Southwick
Backhouse	Coffin	L. Harris	E. Perry	Stevens
Baker	Colvin	Heath	J. L. Perry	Stewart
Barnes	Congdon	Higby	Rider	Stillwell
Belknap	Corser	Horton	Robinson	Stratton
J. Benedict	Davis	Hoppin	Rockwell	Swords
T. H. Benedict	Dennison	Humphrey	Rouse	O. C. Thompson
Blackstone	Dougherty	Kinsley	Rowe	Tuthill
Bottum	Douglass	Lake	Rumsey	Underwood
Bowen	Elderkin	Langdon	W. Russell	Varnum
Bradley	Farr	Leggett	W. F. Russell	Wakeman
Brayton	Ferris	Le Roy	Severance	Ward
Briggs	Feller	Lesley	Shall	Whiteside
Burroughs	Fisk	Lewis	Sherman	Wright
Bushnell	Fitzhugh	McLouth	Shultes	Yeomans
Cady	Fordyce	Macomber	Sickles	

941.

By unanimous consent,

The bill was then read a third time, and amended as follows: insert in the 13th line, in place of the word "February," the word "April."

Mr. Speaker put the question, whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Cady	Greene	Maurice	Severance
O. Allen	Carrington	H. Harris	Miles	Shall
Atwood	Chamberlain	L. Harris	Minier	Shultes
R. Babcock	G. Clark	Heath	Moss	Sickles
Backhouse	J. F. Clark	Higby	Noble	E. T. Smith
Baker	Coffin	Hoppin	Norton	Southwick
Barnes	Colvin	Humphrey	Pardee	Stevens
Belknap	Congdon	Kinsley	E. Perry	Stewart
J. Benedict	Corser	Kellogg	J. L. Perry	Stratton
T. H. Benedict	Dennison	Lake	Rider	Swords
Blackstone	Ferris	Langdon	Robinson	O. C. Thompson
Bottum	Feller	Lawyer	Rockwell	Tuthill
Bowen	Fisk	Leggett	Rouse	Underwood
Bradley	Fitzhugh	Le Roy	Rowe	Varnum
Brayton	Fordyce	Lesley	Rumsey	Wakeman
Briggs	Gleason	Lewis	W. Russell	Ward
Burroughs	Graham	McLouth	W. F. Russell	Wright
Bushnell	A. A. Gregory	Macomber	Ryan	Yeomans

90

Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have concurred in their amendments, with an amendment

Mr. J. Benedict offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That this House will meet on and after the 26th inst., at 10 o'clock, A. M., and at 12 o'clock, M., will proceed in committee of the whole to the consideration of unfinished business and the general orders, and that quarter to two o'clock the House will take a recess.

cess until four o'clock, P. M., at which time it will reassemble for the purpose of considering in committee of the whole, the bills relative to the support of common schools, and that such afternoon sessions be continued until the school bills shall be disposed of.

Mr. Stewart offered the following amendment: strike out all after "Resolved," and insert, "that on and after Wednesday the 26th inst., the members of this House meet in session in this place at 7 o'clock, P. M., of each day, to take into consideration the several bills in relation to the common schools of this State."

Mr. Burroughs moved the following amendment to the amendment: strike out all after "that," and insert, "this House will hold afternoon sessions on and after the 26th inst., commencing at four o'clock, for the purpose of taking up the general orders."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

{ AYES 35 }
{ NOES 45 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Colvin	L. Harris	Le Roy	Ryan
R. Babcock	Dennison	Higby	Lewis	Shall
Barnes	Elderkin	Horton	Noble	E. T. Smith
Bradley	Ferris	Kinsley	Rider	Stratton
Burroughs	Fitzhugh	Kellogg	Rockwell	A. A. Thompson
Bushnell	Gleason	Lawyer	W. Russell	O. C. Thompson
Coffin	Graham	Leggett	W. F. Russell	Wright 25

Those who voted in the negative are,

O. Allen	Brayton	H. Harris	Moss	Townsend
Atwood	Briggs	Heath	Pardee	Tuthill
Backhouse	Cady	Hoppin	Robinson	Underwood
Baker	Carrington	Humphrey	Rouse	Varnum
Belknap	G. Clark	Lake	Rowe	Wakeman
J. Benedict	Corser	McLouth	Rumsey	Ward
T. H. Benedict	Feller	Macomber	Sherman	Wheeler
Blackstone	Fisk	Maurice	Southwick	Whiteside
Bottum	A. A. Gregory	Miles	Stevens	Yeomans 45

Mr. Burroughs moved to lay the whole subject on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

{ AYES 18 }
{ NOES 54 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Bushnell	Lawyer	Rockwell	Shall
R. Babcock	Colvin	Lewis	W. Russell	Stratton

Barnes	French	Maurice	Ryan	Wright	
Burroughs	Gleason	Rider			18

Those who voted in the negative are,

O. Allen	Briggs	Greene	Moss	Swords
Atwood	Cady	H. Harris	Pardee	A. A. Thompson
Backhouse	Carrington	L. Harris	Robinson	Townsend
Baker	Chamberlin	Hoppin	Rouse	Tuthill
Belknap	G. Clark	Humphrey	Rowe	Underwood
J. Benedict	Corser	Kellogg	Rumsey	Varnum
T. H. Benedict	Dennison	Langdon	Sewerance	Wakeman
Blackstone	Feller	Leggett	Sherman	Ward
Bottum	Fisk	McLouth	E. T. Smith	Whiteside
Bradley	Fitzhugh	Macomber	Southwick	Yeomans
Brayton	Graham	Miles	Stevens	

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Mr. Underwood moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then announced the question to be on the resolution of Mr. J. Benedict.

Mr. Townsend called for a division of the question.

Mr. Speaker then put the question separately on the four clauses of the resolution, and they were declared severally adopted.

In pursuance of previous notice, Mr. Le Roy asked for and obtained leave to bring in a bill entitled, "An act providing for the organization of a board of State assessors and defining their powers and duties," which was read the first time and by unanimous consent was also read the second time, and referred to a select committee.

Mr. Le Roy gave notice that he would, at an early day, ask leave to introduce a bill entitled, "An act to remove the capital of the State."

In pursuance of previous notice, Mr. Fitzhugh asked for and obtained leave to bring in a bill entitled, "An act to incorporate the Sophia-st. female academy, in the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

Mr. Fitzhugh offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That those members of this House who have not received copies of the Revised States, having been prevented by illness or absence from procuring the same, be furnished therewith by the Clerk.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. Burroughs offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the bills relating to common schools be made the special order at 12 o'clock to-morrow.

Mr. O. Allen moved to amend by inserting four o'clock instead of twelve.

Mr. Burroughs moved to amend the amendment by inserting fifteen minutes after two o'clock

Mr. Humphrey moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Humphrey, and it was determined in the affirmative.

{ AYES 59 }
{ NOES 18 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

O. Allen	Briggs	Graham	Macomber	Southwick
Atwood	Cady	A. A. Gregory	Miles	Stevens
J. W. Babcock	G. Clark	Greene	Moss	Swords
Backhouse	Coffin	H. Harris	Pardee	A. A. Thompson
Baker	Corser	L. Harris	Rockwell	O. C. Thompson
Belknap	Davis	Hoppin	Rouse	Townsend
J. Benedict	Farr	Humphrey	Rowe	Tutbill
T. H. Benedict	Ferris	Kellogg	Rumsey	Underwood
Blackstone	Feller	Lake	W. F. Russell	Ward
Bottom	Fisk	Langdon	Sherman	Whiteside
Bradley	Fitzhugh	Leggett	A. Smith	Yeomans
Brayton	Gleason	Lesley	E. T. Smith	59

Those who voted in the negative are,

H. J. Allen	J. F. Clark	Lawyer	Shall	Varnum
Barnes	Colvin	McLouth	Stewart	Wakeman
Burroughs	Elderkin	J. L. Perry	Stratton	Wright
Bushnell	Kinsley	W. Russel		18

By unanimous consent,

Mr. Wakeman asked and obtained leave to bring in a bill entitled, "An act to incorporate the Union steam vessel company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Wakeman asked for and obtained leave to introduce a bill entitled, "An act for the relief of the New-York institution for the Blind," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

In pursuance of previous notice, Mr. Pardee asked for and obtained leave to bring in a bill entitled, "An act to authorise the laying out and opening a public highway in the village of Canandaigua in the county of Ontario," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. L. Harris offered for the consideration of the House, a resolution, in the words following, to wit:

Resolved, That bill 203 on the general orders be made the special order for Thursday next at 12 o'clock m.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

Mr. Backhouse, pursuant to previous notice, moved that the fourth rule of this House be suspended, so far as to allow the act entitled, "An act to vest jurisdiction in the United States of America, of certain land in the city of Brooklyn," to be referred to a select committee to report complete.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Backhouse, and it was determined in the affirmative.

Mr. Backhouse moved that the bill entitled, "An act to vest jurisdiction in the United States of America of certain lands in the city of Brooklyn," be taken from the committee of the whole and referred to a select committee to report complete.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Backhouse, and it was determined in the affirmative.

Mr. Underwood called for the consideration of the resolution heretofore offered by him, in relation to the appointment of a committee of nine to report on bills, and offered the following amendment, strike out all after the word "Resolved" and insert as follows :

"That a committee of nine members be appointed, whose duty it shall be to examine all bills committed to the committee of the whole House, and to report all such bills as in their opinion may with propriety and safety be referred to select committees to report complete; but that no bill shall be recommended to be so referred except with consent of two thirds of said committee, no bill appropriating the public money or property, and no private claim bill shall be thus referred.

Mr. Blackstone moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Blackstone, and it was determined in the negative.

Mr. Underwood moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then announced the question to be on the resolution.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

{ AYES 51 }
{ NOES 29 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

O. Allen	G. Clark	Greene	Maurice	Stevens
Atwood	Corser	Higby	Miles	A. A. Thompson
J. W. Babcock	Dennison	Hinds	Moss	Townsend
Backhouse	Elderkin	Hoppin	Pardee	Underwood
Baker	Feller	Kellogg	Rowe	Varnum

Belknap	Fisk	Lake	Rumsey	Wakeman
J. Benedict	Fitzhugh	Langdon	Severance	Ward
Bradley	Gleason	Leggett	Sherman	Wheeler
Brayton	Graham	Lesley	A. Smith	Whiteside
Briggs	A. A. Gregory	McLouth	Southwick	Yeomans
Cady				51

Those who voted in the negative are,

H. J. Allen	Colvin	L. Harris	E. Perry	Shall
R. Babcock	Congdon	Humphrey	Rider	Stratton
Barnes	Davis	Lawyer	Robinson	Swords
Blackstone	Dougherty	Le Roy	Rockwell	O. C. Thompson
Burroughs	Doyle	Lyon	Rouse	Tuthill
Bushnell	H. Harris	Macomber	Ryan	29

Mr. Townsend moved to reconsider the vote on the resolution just adopted.

Mr. Underwood moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker announced the question to be on the motion to reconsider.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Townsend, and it was determined in the negative.

Mr. Burroughs asked to be excused from serving on the select committee on printing the agricultural report.

Mr. Speaker put the question whether the House would agree to excuse Mr. Burroughs, and it was determined in the negative.

On motion, leave of absence was granted to Messrs. Pool, Wright and W. S. Gregory for one week, and Mr. Nelson for two weeks.

On motion of Mr. Elderkin,

The House, at quarter past 2 o'clock, adjourned.

WEDNESDAY, FEBRUARY 26, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Kennedy.

The minutes of yesterday were read and approved.

Mr. A. Smith presented the petition of Mrs. Marion Beggs to confirm her title to real estate &c., which was read and referred to the committee on the judiciary.

Mr. Colvin presented the petition of Joseph C. Weed, Cayuga co., for compensation for damages arising from the overflow of the Erie Canal, which was read and referred to the committee on canals.

Mr. Gleason presented the petition of 54 citizens of Delaware co.,

that the stockholders of the Delaware bank shall be assessed in the respective towns in which they reside, for their stock in said bank, which was read and referred to the select committee on assessments.

Mr. Graham presented the petition 200 citizens of Ulysses, Tompkins co., Mr. J. Benedict one petition of citizens of Whitestown, Oneida co., Mr. Ingersoll one petition of 50 citizens of Greene, Chenango co., Mr. Bradley one petition of 69 citizens of Cayuga co., Mr. Tuthill two petitions of 199 citizens of Suffolk co., Mr. Bushnell three petitions of citizens of Jefferson co., Mr. Humphrey two petitions of citizens of Wyoming co., Mr. Graham one petition of B. Jay and others, Mr. J. Benedict one petition of sundry inhabitants of Utica, Oneida co., for the suppression of the sale of spirituous liquors, which were read and referred to a select committee.

Mr. Miles presented three petitions of inhabitants of Steuben co., for making Addison a half shire town of said co., which was read and referred to the committee of the whole.

Mr. Hatch presented the petition of sundry citizens of Oswego co., Mr. Bradley the petition of citizens of Cayuga co., for the abolition of the death penalty, which were read and referred to the select committee on that subject.

Mr. Hatch presented the petition of sundry citizens of Oswego co., Mr. Gilbert the petition of citizens of Jefferson co., against par redemption in the cities of New-York and Albany, which was read and referred to the committee on banks and insurance companies.

Mr. Smith presented two petitions of citizens of Suffolk co., Mr. Tuthill one petition of citizens of Suffolk co., Mr. Kinsley one petition of citizens of Greene co., Mr. Southwick one petition of 95 citizens of Seneca co., Mr. Maurice two petitions of citizens of Queens co., for the repeal or modification of the free school law, which were read and referred to the committee of the whole on that subject.

Mr. Hatch presented the remonstrance of citizens of the village of Fulton and town of Volney, against the further enlargement of the corporate limits of the village of Fulton, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Maurice presented the petition of Thomas J. Jacobs for an act authorising him to change his name, which was read and referred to the committee on the judiciary.

Mr. Hatch presented the petition of John Carpenter and others for the draining of lands in the town and city of Oswego, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Higby presented two several remonstrances signed by over 290 citizens of Painted Post, Steuben co., against making Addison a half shire town in said co., which were read and referred to the committee of the whole.

Mr. Hatch presented five several petitions of 150 inhabitants of Stein's location, village of Fulton, for a tax upon that location to build a bridge, which were read and referred to the committee on roads and bridges.

Mr. Hatch presented the petition of inhabitants of Oswego co., for establishing road districts upon the line of plank roads, which was read and referred to the committee on roads and bridges.

Mr. Southwick presented the petition of E. Taylor and 33 citizens of Seneca co., for an act to authorise notaries public to take and certify oaths, affirmations and acknowledgments in certain cases, which was read and referred to the committee of the whole.

Mr. L. Harris presented the petition of Rosina Tuttle and others for damages sustained by her on account of the Chenango canal passing through her farm, which was read and referred to the committee on claims.

Mr. French presented the petition of inhabitants of Madison co., to prohibit fishing by seine or net in the Oneida Lake, which was read and referred to the committee on commerce and navigation.

Mr. Hatch presented four several remonstrances signed by over 400 citizens of Oswego, against abolishing the recorder's court in that city, which were read and referred to the committee of the whole.

Mr. Maurice presented the petition of the Newtown and Maspeth plank road co., for an increase of capital, which was read and referred to the committee on roads and bridges.

Mr. Sickles presented four several petitions of Rockland co., for a law to prevent the New-York and Erie railroad co., from diverting trade and travel into New Jersey contrary to the provisions of their charter, which were read and referred to the committee on railroads.

Mr. Macomber, from the committee on state prisons, to which was recommitted the bill entitled, "An act making appropriations for the State prisons at Sing Sing and Clinton," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act in relation to the powers of the late court of chancery and supreme court in equity in certain cases," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. A. Smith, from the committee on the judiciary, to which was referred the bill entitled, "An act for the relief of Abijah Fitch, Thomas M. Hunt and Henry H. Cooley," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Sherman, from the committee on claims, to which was referred the petition of Richard Empey for canal damages, reported in writing, and asked and obtained leave to bring in a bill entitled, "An act to provide for the appraisal and payment of canal damages to

Richard Empey, which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(See Doc. No. 84.)

Mr. Lesley, from the committee on roads and bridges, to which was referred the petition of the Rome and Oswego road company for an alteration of their charter, reported, and asked and obtained leave to bring in a bill entitled, "An act in relation to the Rome and Oswego road company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Greene offered for the consideration of the House, a preamble and resolution in the words following, to wit :

WHEREAS; An express provision was made in the charter of the Erie railroad, against any diversion of the route into the states of Pennsylvania and New-Jersey, and subsequently a grant of three millions of dollars was made from the State treasury, of the money of the people; for the completion of an enterprise which this State expected to realize the benefits thereof, therefore,

Resolved; That the committee on railroads be directed to inquire if said Erie railroad has in any manner violated or evaded the provisions of its charter, and report at an early day to this body.

Debate being had thereon,

Ordered, That the said resolution be laid upon the table.

On motion of Mr. Underwood,

Resolved, That the use of the Assembly chamber for this evening be granted to the New-York State temperance society.

Mr. J. L. Perry offered for the consideration of the House, a resolution in the words following, to wit :

Resolved; That the Clerk be directed to pay the postage upon letters of members relating to public business out of the contingent fund.

Debate being had thereon,

Ordered; That said resolution be laid upon the table.

Mr. Leggett gave notice that he would, at some future time, ask leave to introduce a bill to amend the charter of the Saratoga mutual fire insurance co.

Mr. Coffin gave notice that he would, at an early day, ask leave to introduce a bill to amend the charter of the village of Cooperstown, in Otsego co.

Mr. Backhouse gave notice that he would, at an early day, ask leave to introduce a bill making an appropriation for the support in part of certain hospitals.

Mr. C. Robinson gave notice that he would, at an early day, ask leave to introduce a bill to repeal the act entitled, "An act incorporating the Dover and Union Vale turnpike co."

Mr. Maurice gave notice that he would, at an early day, ask leave to introduce a bill to facilitate the proof of the payment of debts.

In pursuance of previous notice, Mr. Maurice asked for and obtained leave to introduce a bill entitled, "An act to authorise the

county judge of Queens county to sign the certificate of the proof of certain wills recorded in the surrogate's office of that county," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Severance,

Resolved, That Saturday of each week, immediately after the reports of committees, the House proceed to the consideration of private claims, and that private claims be made the special order for each Saturday after the reports of committees, until they shall all be disposed of, or until the House shall otherwise order.

On motion of Mr. Lake,

Resolved, That the papers relating to the claims of John Lafoy and Joshua W. Clemens, be taken from the files of this House and referred to the committee on claims.

Mr Townsend moved to reconsider so much of the resolution adopted yesterday as requires this House to meet at 10 o'clock, A. M.

Mr. Rouse moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Townsend, and it was determined in the negative.

In pursuance of previous notice, Mr. Underwood asked for and obtained leave to introduce a bill entitled, "An act to authorise the consolidation of the several railroads between Buffalo, Troy and Albany or any two of them, and to provide for two tracks of way," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

On motion of Mr. Snell,

Resolved, That the petitions and papers on the files of this House in relation to the claims against the State of Charity Van Alstine, John Keller, John E. Van Epps and David Lipe, be taken from the files and referred to the committee on grievances.

In pursuance of previous notice, Mr. Le Roy asked for and obtained leave to bring in a bill entitled, "An act to remove the capital of the State," which was read the first time and by unanimous consent was also read the second time, and referred to a select committee.

The House then resolved itself into a committee of the whole, on the bill entitled, as follows, to wit:

"An act to incorporate the New-York savings bank."

Pending which, the hour of a quarter before two o'clock having arrived, Mr. Speaker resumed the chair, and the House took a recess till four o'clock, P. M.

FOUR O'CLOCK P. M.

The House again met.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to establish free schools throughout the State."

"An act to provide for the support of common schools."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Heath, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

By unanimous consent,

Mr. Wakeman, from the committee on commerce and navigation, to which was referred the bill from the Senate entitled, "An act to amend the act entitled, 'An act concerning passengers arriving at the ports of entry and landing in this State,'" reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burroughs gave notice that he would, on some future day, ask leave to introduce a bill in relation to the completion of the unfinished canals of this State and the enlargement of the Erie canal.

Mr. Burroughs moved that the bills entitled, "An act to establish free schools throughout the State," and "An act to provide for the support of common schools," be made the special order for to-morrow at four o'clock, P. M.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

Mr. Wheeler offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the Comptroller be respectfully requested to communicate to this House, at as early a day as practicable, how much land is owned by the State in the counties of Herkimer and Hamilton, how the same were acquired by the State, whether by tax sales or otherwise, and what was the cost to the State of each lot.

Ordered, That said resolution be laid upon the table.

On motion of Mr. Graham,

The House, at ten minutes before six o'clock, adjourned.

THURSDAY, FEBRUARY 27, 1851.

The House met pursuant to adjournment,

Hon. H. J. Raymond, Speaker, resumed the chair.

Prayer by the Rev. Mr. Jeffrey,

The minutes of yesterday were read and approved.

Mr. Greene presented the memorial of Cornelius Dubois and others, in relation to acts granting lands under water at Williamsburgh and Bushwick, which was read and referred to the committee on the judiciary.

Mr. H. Harris presented the petition of citizens of Albany county for Webster's unabridged dictionary to be furnished to each school district in the State, which was read and referred to the committee on colleges, academies and common schools.

Mr. Pardee presented three petitions of sundry citizens of Ontario co., Mr. Ingersoll one petition of citizens of Chenango co., Mr. Maurice one petition of citizens of Queens co., Mr. Moss one petition of citizens of Niagara co., Mr. Burroughs two petitions of citizens of Orleans co., Mr. E. T. Smith one petition of citizens of Suffolk co., Mr. Shall one petition of citizens of Herkimer co., Mr. Lyon one petition of citizens of Herkimer co., severally praying for a repeal of the free school law, which were read and referred to the committee of the whole on that subject.

Mr. Noble presented one petition of sundry citizens of Warren co., Mr. Rider one petition of sundry citizens of Oneida co., Mr. O. C. Thompson one petition of sundry citizens of Rensselaer co., Mr. Humphrey two petitions of sundry citizens of Wyoming co., Mr. Gilbert two petitions of sundry citizens of Jefferson co., Mr. Brayton one petition of sundry citizens of Oswego co., Mr. Southwick three petitions of sundry citizens of Seneca co., severally praying for the suppression of the liquor traffic, which were read and referred to the select committee on that subject.

Mr. Le Roy presented the remonstrance of inhabitants of Onondaga county, against the recharter of the Sodus canal co., which was read and referred to the committee of the whole.

Mr. Bushnell presented two several petitions of inhabitants of Le Ray, Jefferson co., for a law prohibiting under penalties of fines and imprisonment, the sale of intoxicating drinks as a beverage, which were read and referred to a select committee.

Mr. Varnum presented the remonstrance of masters of vessels, sailing out of New-York, against the Pilot bill, which was read and referred to the committee of the whole.

Mr. Welden presented the petitions of inhabitants of North Hudson, Essex county, to sustain the present law in regard to tax on road leading from State road to Port Henry, which was read and referred to the committee on roads and bridges.

Mr. Welden presented the remonstrance of inhabitants of Keese-

vile, Essex co., against par redemption in New-York, which was read and referred to the committee on banks and insurance companies.

Mr. Miles presented the petition of inhabitants of Woodhull, Steuben co., asking that the town of Addison be designated as a half shire town in said county, which was read and referred to the committee of the whole.

Mr. O. C. Thompson presented the remonstrance of citizens of Rensselaer county against any special privilege being given to the city of Troy in regard to common schools, which was read and referred to the committee of the whole.

Mr. Pardee presented two petitions of citizens of Ontario county for a law making it highly penal to assist in removing from the State, except for crime, any inhabitant thereof, and that the jails in this State be not used for the confinement of fugitive slaves, which was read and referred to the committee on the judiciary.

Mr. Le Roy presented the petition of inhabitants of school district No. 10 in the towns of Clay and Lysander, Onondaga co., for the passage of a law, to levy and collect certain costs and expenses incurred and paid by the collector of said district, by a tax on said district, which was read and referred to the committee on colleges, academies and common schools.

Mr. Varnum presented the memorial of the trustees of the New-York medical college, praying for authority and aid in building a city hospital, which was read and referred to the committee on medical societies and colleges.

Mr. Minier presented the remonstrance of inhabitants of Elmira, Chemung co., against any alteration of the charter of the village of Horseheads, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Maurice presented the remonstrance of citizens of Rockland county, against the recent action of New-York and Erie railroad co., which was read and referred to the committee on railroads.

Mr. Hatch presented the petition of citizens of Oswego, in relation to Oswego canal, which was read and referred to the committee on canals.

Mr. Elderkin presented the remonstrance of citizens of Warren county, against the bill to construct a road from Johnsburch in the county of Warren, to Wells, in the county of Hamilton, which was referred back to the committee on roads and bridges with the bill now in committee of the whole, by unanimous consent.

Mr. Townsend presented the petition of Poughkeepsie and New-Paltz ferry company, for an amendment of their charter, which was read and referred to the committee on the judiciary.

Mr. O. Allen presented the petition of citizens of Buffalo, for aid to the several Orphan Asylums in this State, which was read and referred to the committee on ways and means.

Mr. Shultes presented the remonstrance of citizens of Albany, against extending the New-York auction laws to the city of Albany, which was read and referred to the committee of the whole.

Mr. Batum presented the petition of Mark S. Adams and others

asking aid for Genesee college, which was read and referred to the committee of the whole.

Mr. Rider presented the remonstrance of Davis Utley and others, of Oneida county, against the redemption of bank notes in Albany and New York, which was read and referred to the committee on banks and insurance companies.

Mr. Gleason presented the petition of citizens of Delaware county, asking that the stockholders in the Delaware bank may be assessed for their stock in the towns in which they reside, which was read and referred to a select committee.

Mr. Pardee presented the petition of citizens of Tioga co., for a law securing the right of trial by jury to every person claimed as a slave, which was read and referred to the committee on the judiciary.

Mr. Gleason presented the remonstrance of citizens of Delaware co., against any division of the same, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Gilbert presented the petition for a law confirming the election of certain town officers in the town of Loraine, in the county of Jefferson, which was read and referred to the select committee consisting of the Jefferson county delegation.

Mr. O. Allen, from the committee on canals, to which was referred the petition of Grant, Turner and Ryan, for interest on money due them from the State until paid, reported in writing, and asked and obtained leave to bring in a bill entitled, "An act for the relief of John Ryan, Lathrop A. B. G. Grant and Otis Turner," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(See Doc. No. 78.)

Mr. H. J. Allen, from the committee on public printing, to which was referred a resolution in relation to the printing of the annual report of the American Institute, reported the following resolution :

Resolved, That 30 times the usual number of the report of the American Institute be printed for the use of the Legislature, 1000 for the Institute, 500 for the State Agricultural Society, and 40 copies for each county agricultural society, the same to be bound as heretofore.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Varnum, from the committee on railroads, to which was referred the bill from the Senate entitled, "An act to authorise railroad corporations of this State to subscribe to the capital stock of the Great Western railroad, Canada West," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Varnum, from the committee on railroads, to which was referred the bill from the Senate entitled, "An act to amend the act entitled, 'An act incorporating the Sackett's Harbor and Saratoga railroad

company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the bill entitled, "An act to authorise the laying out and opening a public highway in the village of Canandaigua, in the county of Ontario," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of the inhabitants of the town of Lenox, in the county of Madison, for a law authorising the election of five justices of the peace in said town, one of them to be located in election district number one, in said town, reported, and asked and obtained leave to bring in a bill entitled, "An act to provide for an additional justice of the peace in the town of Lenox, in the county of Madison," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to authorise the county judge of Queens co. to sign the certificate of the proof of certain wills recorded in the surrogate's office of that co.," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to authorise the clerk of Wayne co. to record a certain deed," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Le Roy, from the select committee consisting of the Onondaga delegation, to which was referred the Senate bill entitled, "An act to amend section six, of title two of the act entitled, 'An act to condense and amend the several acts relating to the village of Skaneateles,' passed April 8, 1850," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole, having charge of No. 73 general orders.

Mr. Backhouse from the select committee, to which was referred the Assembly bill No. 274 entitled, "An act to vest in the United States of America, jurisdiction to land in the city of Brooklyn," to report complete, reported that the committee had gone through said bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. O. Allen, from the select committee to which was referred the petition of 440 firemen, and others of Buffalo for an amendment of the act passed March 30, 1849, entitled, "An act further to amend the acts in relation to insurances on property in this state, made by individuals and associations unauthorised by law," reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of the Firemen's benevolent association of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

A message from the Governor was received and read, informing that he had approved and signed the bills entitled as follows :

"An act authorising the supervisor and town clerk of the town of Jamaica, Queens co., to sell and convey certain common lands belonging to said town."

"An act authorising the election of three trustees and a district clerk in school district number sixteen, located in the village of Delhi."

In pursuance of previous notice, Mr. Maurice asked for and obtained leave to bring in a bill entitled, "An act to facilitate the proof of payment of debts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Coffin asked for and obtained leave to bring in a bill entitled, "An act to amend the charter of the village of Cooperstown," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Robinson asked for and obtained leave to bring in a bill entitled, "An act to repeal an act entitled, 'An act to incorporate the Dover and Union Vale turnpike road co.,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Leggett asked for and obtained leave to bring in a bill entitled, "An act to amend the act incorporating the Saratoga co. mutual fire insurance co.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

In pursuance of previous notice, Mr. Backhouse asked for and obtained leave to bring in a bill entitled, "An act making an appropriation for the support in part of certain hospitals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on medical societies and colleges.

In pursuance of previous notice, Mr. Wakeman asked for and obtained leave to introduce a bill entitled, "An act to amend the act in relation to justices' and police courts in the city of New-York, passed March 30, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the New-York delegation.

Mr. Townsend gave notice that he would, at an early day, ask leave to introduce a bill to authorise the society of redemptionists to hold certain real estate heretofore conveyed.

Mr. Hatch asked unanimous consent that the various intervening orders of business be suspended, and that the House go into committee of the whole on Assembly bill No. 226 ; which was objected to.

In pursuance of previous notice, Mr. Minier asked for and obtained leave to introduce a bill entitled, "An act to authorise the election of a local officer to discharge the duties of county judge and surrogate in the county of Chemung," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. H. Harris gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the University of Albany.

On motion of Mr. Robinson,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the select committee on the assessment of taxes be instructed to report forthwith on the bill repealing the law which exempts manufacturing companies from taxation.

After debate, the mover had leave to withdraw the same.

Mr. Macomber offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the committee on railroads be requested to report a bill to this House at an early day, reducing the fare on all the railroads between the city of Albany and Buffalo to two cents per mile, to take effect on the first day of April next.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

In pursuance of previous notice, Mr. Townsend asked for and obtained leave to introduce a bill entitled, "An act to incorporate the Pacific Savings bank of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

On motion of Mr. Noble,

Resolved, That permission be given to the N. Y. State temperance society to occupy this chamber this evening.

On motion of Mr. Wheeler,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the Comptroller be respectfully requested to communicate to this House, at as early a day as practicable, how much land is owned by the State in the counties of Herkimer and Hamilton, how the same were acquired by the State, whether by tax sales or otherwise, and what was the cost to the State of each lot.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Hinds presented a resolution, in the nature of a petition, of the

teachers' association of Broome co., relative to new school law, which was read and referred to the committee of the whole.

The House then resolved itself into a committee of the whole, on the bill entitled, as follows, to wit:

"An act to incorporate the New-York savings bank."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Maurice, from said committee, reported that the committee had gone through said bill, and agreed to the same with amendments, and amended the title so as to read "An act to incorporate the Knickerbocker savings institution."

On motion of Mr. Rouse, and by unanimous consent,

The bill, as reported, was amended as follows: strike out, in the eighth and ninth lines of the first section, the words "New-York savings bank," and insert "Knickerbocker savings institution."

Mr. A. Smith moved to further amend the bill by striking out all after the enacting clause thereof, and inserting Assembly bill No 218 on the general orders, entitled, "An act to authorise the formation of savings banks and to regulate the same;" the same amendment having been offered in committee of the whole.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. A. Smith, and it was determined in the negative.

{ AYES 23 }
{ NOES 67 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

J. W. Babcock	Bushnell	Ferris	Maurice	Severance
Bowne	Colvin	Gleason	Minier	Shall
Bradley	Davis	Hatch	Rockwell	A. Smith
Briggs	Dougherty	Kinsley	W. Russell	Stilwell
Burroughs	Doyle	Le Roy		

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Those who voted in the negative are,

H. J. Allen	Cooke	Graham	Macomber	Shutes
Atwood	Congdon	A. A. Gregory	Miles	Southwick
R. Babcock	Corser	Greene	Moss	Stratton
Backhouse	Dennison	H. Harris	Noble	Swords
Baker	Dewey	L. Harris	Norton	Speaker
Barnes	Douglass	Hinds	Pardee	Townsend
Belknap	Elderkin	Humphrey	E. Perry	Tuthill
J. Benedict	Ellwood	Ingersoll	Rider	Underwood
Blackstone	Farr	Kellogg	Robinson	Wakeman
Bottum	Feller	Lake	Rowe	Ward
Brayton	Fisk	Langdon	Rumsey	Whiteside
Cady	Fitzhugh	Lealey	Ryan	Wright
G. Clark	Fordyce	McLouth	Sherman	Yeomans
Coffin	Gilbert			

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Mr. Speaker put the question whether the House would agree to the report of the said committee, as amended, and it was determined in the affirmative.

Ordered, That the said bill be engrossed for a third reading.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to repeal that portion of the Revised Statutes which declares what shall be an acceptance of the office of member of Congress," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The House then resolved itself into a committee of the whole, on the bill entitled, as follows, to wit:

"An act to authorize the erection of a fire proof building for the State library, and to provide for the better accommodation of the Legislature."

And after some time spent thereon, Mr. Speaker resumed the chair, and announced that the hour of a quarter before two o'clock having arrived, the House would, under the resolution of the 25th inst., take a recess till four o'clock, P. M.

FOUR O'CLOCK P. M.

The House again met.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to establish free schools throughout the State."

"An act to provide for the support of common schools."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Heath, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

Mr. Underwood moved to make the said bills a special order for four o'clock, P. M., to-morrow.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Underwood, and it was determined in the affirmative.

The Senate returned the bill entitled, "An act to provide for the appraisal and payment of damages incurred by Henry G. Beach in the removal of a bridge," with a message informing that they had concurred in so much of the amendment made by the Assembly to the amendments made by the Senate, as includes the striking out from the first section, as amended, the words "and deducting the value of the toll house," and that they have non-concurred in the remainder of the amendments made by the Assembly to said bill.

Mr. Speaker put the question whether the House would agree to recede from the last named amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES. 78 }
{ NOES. 00 }

Those who voted in the affirmative are,

H. J. Allen	Cady	Gleason	Miles	Stevens
O. Allen	G. Clark	Graham	Moss	Stewart
Anthon	Coffin	A. A. Gregory	Noble	Stratton
Atwood	Colvin	Greene	Pardee	Speaker
J. W. Babcock	Corser	L. Harris	Rockwell	O. C. Thompson
Backhouse	Davis	Hatch	Rouse	Townsend
Baker	Dennison	Higby	Rowe	Tuthill
Barnes	Dewey	Hinds	Ramsey	Underwood
Belknap	Dougherty	Ingersoll	W. Russell	Varnum
J. Benedict	Doyle	Kinsley	Ryan	Wakeman
T. H. Benedict	Elderkin	Lake	Shall	Ward
Bird	Farr	Langdon	Sherman	Welden
Blackstone	Feller	Lawyer	E. T. Smith	Wheeler
Bradley	Fisk	Leggett	Snell	Whiteside
Brayton	Fordyce	McLouth	Southwick	Yeomans
Burroughs	Gilbert	Macomber		

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Mr. Stevens gave notice that he would, at an early day, ask leave to introduce a bill entitled, "An act to amend an act to incorporate the Syracuse city water works co., passed April 5, 1849."

By unanimous consent,

Mr. Wakeman presented the memorial of the New-York house and school of industry, for incorporation, which was read and referred to the committee on charitable and religious societies.

By unanimous consent,

In pursuance of previous notice, Mr. Moss asked for and obtained leave to bring in a bill entitled, "An act for the relief of Solomon Parmelee and others," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

On motion of Mr. Elderkin,

The House then resolved itself into a committee of the whole on the bill entitled, as follows, to wit:

"An act to amend an act entitled, 'An act to incorporate the city of Oswego,' passed March 24 1848, and the act amending the same, passed March 31, 1849."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Lyon, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Hatch moved that said bill be referred to a select committee consisting of the Oswego co. delegation to report complete.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Hatch, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

The Senate bill entitled, "An act to reduce the capital stock of the N. Y. and Virginia steamship co."

"An act to authorise the Medina and Alabama plank road company to borrow money and for other purposes."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Bradley, from said committee, reported that the com-

mittee had gone through said first mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Bradley, from said committee, reported progress on said last mentioned bill, and asked leave to sit again.

On motion of Mr. Burroughs,

Ordered, That said bill be referred to a select committee to report complete.

By unanimous consent,

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act to amend an act entitled, 'An act to incorporate the Saugerties and Woodstock turnpike road company,' passed April 21, 1828, and to authorise such company to abandon a portion of their road."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Gleason, from said committee, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

On motion of Mr. Moss,

The House, at ten minutes past six o'clock, adjourned.

FRIDAY, FEBRUARY 28, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The minutes of yesterday were read and approved.

Mr. Ward presented the petition of citizens of the city of New-York, praying that the New-York and Erie railroad may be prevented from diverting any portion of their business through New Jersey, which was read and referred to the committee on railroads.

Mr. Brayton presented the remonstrance of legal voters in the town of Rome, Oneida co., against the passage of a law for the election of a police justice in said village, which was read and referred to the committee of the whole.

Mr. Coffin presented the petition of sundry inhabitants of the town of West Bloomfield, Ontario co., for the passage of a law for the better protection of free citizens of this State, which was read and referred to the committee on the judiciary.

Mr. Miles presented the remonstrance of 58 citizens of Steuben co., against par redemption in the city of Albany and New-York, which was read and referred to the committee on banks and insurance companies.

Mr. Hinds presented three petitions of inhabitants of Broome co., against the passage of the law incorporating the Bainbridge and

Lanesboro steam navigation co., which were read and referred to the committee of the whole.

Mr. Bradley presented the petition of citizens of Cayuga co., for a law to equalize taxation, which was read and referred to a select committee.

Mr. Lyon presented the petition of citizens of West Turin, Lewis co., for an amendment to the school law, and for a law to equalize assessments, which was read and referred to the select committee on that subject.

Mr. Clark presented the petition of citizens of the city of New-York, praying that the New-York and Erie railroad co., be restrained from diverting any portion of their business through New Jersey, which was read and referred to the committee on railroads.

Mr. G. Clark presented the petition of the New-York and the Northern and the Eastern dispensaries of the city of New-York, for an appropriation of \$1,500 to each, which was read and referred to the committee on ways and means.

Mr. Macomber presented the petition of the Industrial Congress of the city of New-York, which was read and referred to the committee on public lands.

Mr. Ferris presented the remonstrance of sundry inhabitants of Oswego, Tioga co., against the new or amended charter for said village, which was read and referred to the committee of the whole.

Mr. Pool presented the petition of inhabitants of Rutland, Jefferson co., for an amendment to the assessment law, which was read and referred to a select committee.

Mr. Lyon presented the memorial of inhabitants of Lowville, Lewis co., praying for relief from mistakes made by the assessors of said town, which was read and referred to the committee on the judiciary.

Mr. Wheeler presented the memorial of the board of trustees of St. Johns College, Fordham, asking an appropriation for the benefit of said institution, which was read and referred to the committee on colleges, academies and common schools.

Mr. T. H. Benedict presented two petitions of inhabitants of Westchester co., asking for the passage of a law to prevent the carrying on of bone boiling and horse skinning establishments, within two miles of any inhabited dwelling, which were read and referred to the committee on grievances.

Mr. Robinson presented the petition of 100 inhabitants of the town of Fishkill, for the passage of a law compelling banks to redeem their notes at par in the city of New-York, which was read and referred to the committee on banks and insurance companies.

Mr. Pool presented the petition of inhabitants of the town of Watertown, against the passage of an act compelling country banks to redeem their notes at par in the city of New-York, which was read and referred to the committee on banks and insurance companies.

Mr. French presented the petition of 109 inhabitants of the co., of Oswego, for the passage of a law to suppress fishing in Oneida Lake, with any net or seine within one mile of any inlet or down any outlet

of said lake, which was read and referred to the committee on commerce and navigation.

Mr. Pool presented the petition of sundry inhabitants of the town of Wilna, Jefferson co., for the passage of an act authorising the commissioners of highways in said town to lay out a public highway, less than three rods wide, which was read and referred to the committee on roads and bridges.

Mr. Sherman presented the petition of E. Pebortkup and 48 others, inhabitants of Broome co., asking that the rights of private citizens may be protected against the contemplated act to incorporate the Bainbridge and Lanesboro steam navigation co., which was read and referred to the committee of the whole.

Mr. Severance presented the petition of 60 residents of the counties of Erie, Wyoming and Cattaragus, for the repeal of an act entitled, "An act to confirm certain securities and conveyances of lands, passed March 28, 1850, and also to test the title of the Farmers' loan and trust co., to certain lands," which was read and referred to the committee on the judiciary.

Mr. Graham presented the petition of the trustees of the Genesee college, for an appropriation, which was read and referred to the committee on colleges, academies and common schools.

Mr. T. H. Benedict presented the remonstrance of citizens of Rockland co., against the recent action of the New-York and Erie railroad co., in diverting the trade and travel of said railroad through the State of New Jersey, which was read and referred to the committee on railroads.

Mr. Sherman presented the petition of sundry inhabitants of Dutchess co., for the passage of a law, that notaries may be authorised to perform certain duties, which was read and referred to the committee on the judiciary.

Mr. Pool presented the petition of Horace Hotchkiss and Wm. P. Smith, for relief, which was read and referred to the committee on claims.

Mr. Yeomans presented the petition of citizens of Wayne co., for the enactment of a law to protect the rights of free citizens of this State, which was read and referred to the committee on the judiciary.

Mr. J. Benedict presented the petition of citizens of Utica, for the purchase of Webster's dictionary for school districts, which was read and referred to the committee on colleges, academies and common schools.

Mr. Anthon presented the petition of J. T. Harrison and others, inhabitants of Richmond co., for the passage of an act to authorise the construction of a draw bridge across the Fishkills in Richmond co., which was read and referred to the committee on roads and bridges.

Mr. J. Benedict presented the petition of sundry inhabitants of Herkimer co., for an alteration to the Constitution, so that every male citizen may practice law in the several courts of this State, which was read and referred to the committee on the judiciary.

Mr. Stevens presented the petition of W. M. Brewster, of the city of Syracuse, praying the passage of a law to extend the time for the

collection of taxes in said city, which was read and referred to a select committee consisting of the Onondaga co. delegation.

Mr. Stevens presented the petition of John L. Stevens and others, inhabitants of Cicero, Onondaga co., for the passage of a law authorising said town to purchase lands for a cemetery, which was read and referred to a select committee consisting of the Onondaga county delegation.

Mr. Wakeman presented two petitions of citizens of the city of New-York, praying that the New-York and Erie railroad co., may be restrained from diverting any portion of their business through New Jersey, which were read and referred to the committee on railroads.

Mr. Gilbert presented three petitions, Mr. Pool two, Mr. Brayton four, Mr. Bradley two, and Messrs. Hatch, Pardee, Robinson, Yeomans, Lyon, Bottum, O. Allen, Kellogg, Congdon and Graham, severally, petitions in relation to the excise law, which were read and referred to the select committee on that subject.

Mr. Hinds presented five petitions, Mr. Kellogg two, Mr. Bradley two, and Messrs. Graham, Coffin, Leggett, Bushnell, Pardee, Rumsey, Ferris and Briggs, severally, petitions and remonstrances in relation to the school laws, which were read and referred to the committee of the whole when on that subject.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to repeal that portion of the Revised Statutes which declares what shall be an acceptance of the office of member of Congress," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. A. A. Gregory, from the committee on Indian affairs, to which was referred the petition of the chief, head men and warriors of the Tuscarora Indians, for an appropriation to educate their children, reported, and asked and obtained leave to bring in a bill entitled, "An act to provide for the education of the Tuscarora Indians, in the county of Niagara," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Backhouse, from the committee on grievances, to which was referred the petition of Mitchell Atwood, for relief, reported, and asked and obtained leave to bring in a bill entitled, "An act to provide for the appraisal and payment of canal damages to Mitchell Atwood," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Backhouse, from the committee on grievances, to which was referred the petition of Charity Van Alstyne, for relief from canal damages, reported, and asked and obtained leave to bring in a bill entitled, "An act to provide for the appraisal of canal damages to Charity Van Alstyne," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Severance, from the committee on claims, to which was referred the petition of Asa D. Wood, Ambrose Clark and Wm. H. Douglass for relief, reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of Asa D. Wood, Ambrose Clark and Wm. H. Douglass," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Severance, from the committee on claims, to which was referred the petition of Jonas Ingraham for damages under his canal contracts, reported adversely, and offered the following resolution :

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Sherman, from the committee on claims, to which was referred the petition and papers of Chauncey Smith, late agent of Sing Sing prison, for settlement of his account with said prison, reported, and asked and obtained leave to bring in a bill entitled, "An act for the settlement of the accounts of Chauncey Smith, late agent of the Sing Sing prison," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the petition of G. H. Derby & Co., asking that a book entitled, "Science of Government," be placed in the common school libraries, reported adversely, and offered the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. O. Allen moved that said resolution be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the affirmative.

Mr. Graham, from the committee on public printing, to which was referred the following resolution :

Resolved, That the committee on printing be instructed to ascertain and report to this House the cost of printing, engrossing and binding of the report of the N. Y. State Ag. Society ordered by the last House, and the number of copies to which each member was entitled ; also, the probable cost per volume of the report of this year ; reported in writing.

Mr. Atwood, from a majority of the select committee, to which was referred the resolution adopted Feb. 13, calling for information as to whether the size of the last agricultural report may not be reduced without injury to the public interest, also to examine whether the number of copies as ordered printed may not be diminished, reported in writing, and offered the following resolution :

Resolved, That there be printed for the use of the members 75 times the usual number, 1000 for the State Ag. Society, 500 for the American Institute, and 40 copies for each county.

Mr. Sherman moved to amend by striking out the figures "75" therein, and insert instead thereof the figures "50."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Sherman, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Bowne, from the select committee, to which was referred the petitions and remonstrances of inhabitants of Orange and Putnam counties, in relation to the renewal of a ferry charter to John Garrison, reported, and asked and obtained leave to bring in a bill entitled, "An act extending the time to John Garrison for continuing and regulating a ferry across the Hudson river in the town of Philips, in the county of Putnam," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Hatch, from the select committee, to which was referred the bill entitled, "An act to amend an act entitled, 'An act to incorporate the city of Oswego,' passed March 24, 1848; and the act amending the same, passed March 31, 1849," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to

Ordered, That said bill be engrossed for a third reading.

Mr. Cady, from the select committee, to which was referred the petition of the mayor and common council of Brooklyn, for amendments to the city charter, reported, and asked and obtained leave to bring in a bill entitled, "An act to revise and amend the several acts relating to the city of Brooklyn, passed April 4, 1850," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Speaker laid before the House a communication from the Comptroller in answer to a resolution of the Assembly, with a statement containing the name, capital stock, amount of registered notes, amount assessed, and the amount of taxes paid by each of the incorporated banks, banking associations, individual bankers, and other corporations in this State, for the year 1850, so far as the department is enabled so to do by the returns which have come to hand.

On motion of Mr. O. Allen,

Ordered, That said report be printed, and referred to the select committee on assessments.

Mr. Burroughs presented a communication from the majority of the select committee of the Assembly of 1850, appointed to investigate alleged frauds in the expenditure of the public moneys upon the canals, with certain charges of official misconduct against Canal Commissioners, and to report to the present Legislature; which communication was accompanied by a report in writing from said majority.

Mr. Wheeler moved that the minority of said committee be allowed to take and retain the report for one week, and that at the expiration of that time the same be printed.

Mr. Underwood called for a division of the question.

Mr. Speaker put the question whether the House would agree to the first clause of said motion, and it was determined in the affirmative.

On motion of Mr. Underwood,

Ordered, That the second clause of the motion do lie on the table.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled, as follows, to wit:

"An act to vest in the United States of America jurisdiction to land in the city of Brooklyn."

"An act to incorporate the Knickerbocker savings institution."

"An act to amend an act entitled, 'An act to incorporate the Saugerties and Woodstock turnpike road company,' passed April 21, 1828, and to authorise such company to abandon a portion of their road."

Ordered, That said bills be read the third time.

The bill entitled, "An act to incorporate the Knickerbocker savings institution," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 80 }
{ NOES 02 }

Those who voted in the affirmative are,

O. Allen	Cady	French	Leggett	Shultes
Atwood	Carrington	Gilbert	Lesley	E. T. Smith
J. W. Babcock	Chamberlin	Gleason	McLouth	Snell
Backhouse	G. Clark	Graham	Macomber	Southwick
Baker	Coffin	A. A. Gregory	Miles	Stevens
Barnes	Cooke	H. Harris	Moss	Stewart
Belknap	Congdon	Hatch	Pardee	Stratton
J. Benedict	Corser	Hinds	E. Perry	Swords
T. H. Benedict	Dennison	Horton	Pool	Speaker
Bird	Dougherty	Hoppin	Robinson	O. C. Thompson
Blackstone	Douglass	Humphrey	Rouse	Tuthill
Bottum	Ellwood	Ingersoll	Rowe	Underwood
Bowne	Farr	Kinsley	Rumsey	Ward
Bradley	Feller	Lake	Ryan	Welden
Brayton	Fisk	Langdon	Shall	Wheeler
Bushnell	Fordyce	Lawyer	Sherman	Yeomans 80

Those who voted in the negative are,

Townsend Varnum

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to vest in the United States of America jurisdiction to land in the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in

favor thereof, and three-fifths of said members being present, as follows :

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Bushnell	Gleason	Macomber	Snell
O. Allen	Cady	Graham	Miles	Southwick
Anthon	Carrington	A. A. Gregory	Moss	Stevens
Atwood	Chamberlin	Hatch	Pardee	Stewart
J. W. Babcock	G. Clark	Higby	E. Perry	Stilwell
Backhouse	Cooke	Hinds	Pool	Stratton
Baker	Congdon	Hoppin	Robinson	Swords
Barnes	Corser	Humphrey	Rockwell	Speaker
Belknap	Davis	Ingersoll	Rouse	O. C. Thompson
J. Benedict	Ellwood	Kinsley	Rowe	Townsend
T. H. Benedict	Farr	Lake	Rumsey	Tuthill
Bird	Ferris	Langdon	Ryan	Underwood
Blackstone	Feller	Lawyer	Shall	Welden
Bowne	Fisk	Loggett	Sherman	Wheeler
Bradley	Fordyce	Lesley	Shultes	Whiteside
Brayton	French	McLouth	Sickles	Yeomans
Briggs	Gilbert			82

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to reduce the capital stock of the N. Y. and Virginia steamship co.," coming up for its third reading,

By unanimous consent,

Mr. Varnum moved to amend the title so that it should read "An act to incorporate the N. Y. and Virginia steamship co., passed April 10, 1850, so as to enable said company to commence business when one hundred thousand dollars of its capital stock shall have been subscribed."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Varnum, and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 76 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	H. Harris	Macomber	Snell
O. Allen	G. Clark	Hatch	Miles	Southwick
Anthon	Cooke	Heath	Moss	Stevens
Atwood	Congdon	Higby	Pardee	Stewart
J. W. Babcock	Corser	Hinds	Pool	Stilwell
Backhouse	Doyle	Hoppin	Rider	Stratton
Baker	Ellwood	Humphrey	Rockwell	Speaker
Barnes	Farr	Ingersoll	Rouse	O. C. Thompson

Belknap	Feller	Kinsley	Rowe	Townsend
J. Benedict	Fisk	Kellogg	Rumsey	Tuthill
T. H. Benedict	Fordyce	Langdon	Shall	Underwood
Bowne	Gilbert	Lawyer	Sherman	Varnum
Bradley	Gleason	Leggett	Shultes	Wheeler
Bushnell	Graham	Lesley	Sickles	Whiteside
Cady	A. A. Gregory	McLouth	E. T. Smith	Yeomans
Carrington				76

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to incorporate the city of Oswego, passed March 24, 1848, and the act amending the same, passed March 31, 1849," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Carrington	Greene	Macomber	Southwick
O. Allen	Chamberlin	H. Harris	Miles	Stevens
Anthon	G. Clark	Hatch	Minier	Stewart
Atwood	Cooke	Heath	Moss	Stilwell
J. W. Babcock	Congdon	Higby	Pardee	Stratton
Backhouse	Corser	Hinds	E. Perry	Speaker
Baker	Davis	Hoppin	Pool	O. C. Thompson
Barnes	Doyle	Humphrey	Robinson	Townsend
J. Benedict	Ellwood	Ingersoll	Rouse	Tuthill
T. H. Benedict	Farr	Kinsley	Rumsey	Underwood
Bird	Ferris	Kellogg	Ryan	Varnum
Blackstone	Feller	Lake	Shall	Wakeman
Bowne	Fisk	Langdon	Sherman	Ward
Bradley	Fordyce	Lawyer	Shultes	Welden
Brayton	Gilbert	Leggett	Sickles	Wheeler
Briggs	Graham	Lesley	E. T. Smith	Whiteside
Bushnell	A. A. Gregory	McLouth	Snell	Yeomans
				85

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Speaker announced the following select committee on the bill to authorise the Medina and Alabama plank road co. to borrow money, with power to report complete : Messrs. Burroughs, Lesley, Baker, J. Benedict and Le Roy.

The bill entitled, "An act to amend an act entitled, 'An act to incorporate the Saugerties and Woodstock turnpike road co.,' passed April 21, 1828, and to authorise such company to abandon a portion of their road," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths of said members being presents, as follows :

{ AYES 79 }
 { NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Carrington	Graham	Minier	Southwick
Anthon	G. Clark	A. A. Gregory	Moss	Stevens
Atwood	Coffin	Greene	Noble	Stewart
J. W. Babcock	Cooke	Hatch	Pardee	Sulwell
Baker	Conngdon	Higby	E. Perry	Stratton
Barnes	Corser	Hinds	Pool	Swords
Belknap	Davis	Humphrey	Robinson	Speaker
J. Benedict	Douglass	Ingersoll	Rockwell	O. C. Thompson
Blackstone	Doyle	Kinsley	Rouse	Townsend
Bottum	Ellwood	Kellogg	Rowe	Tuthill
Bowne	Farr	Langdon	Rumsey	Wakeman
Bradley	Ferris	Lawyer	Ryan	Welden
Brayton	Fisk	Leggett	Shall	Wheeler
Briggs	Fordyce	Lesley	Shultes	Whiteside
Bushnell	French	McLouth	Siskles	Yeomans
Cady	Gleason	Miles	E. T. Smith	79

Ordered, That the Clerk return the said bill to the Senate, and request their concurrence in the same.

In pursuance of previous notice, Mr. H. J. Allen asked for and obtained leave to introduce a bill entitled, "An act for the organization and discipline of the ununiformed militia of the first division district of the New-York State militia," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defence.

On motion of Mr. Wheeler,

Resolved, That a respectful message be sent to the Senate, requesting that the papers on the files of the Senate, relating to the claim of Solomon Parmelee, be taken from said files and referred to the standing committee of the Assembly on canals.

On motion of Mr. Macomber,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the committee on railroads be requested to report a bill to this House at an early day, reducing the fare on all the railroads between the city of Albany and Buffalo to two cents per mile, to take effect on the first day of April next.

After debate, Mr. Macomber had leave to withdraw his resolution.

On motion of Mr. Lyon,

Resolved, That the petition of the mayor and common council of the city of Rochester, in relation to Platt street sewer in said city, presented at the last session of the Legislature, be taken from the files and referred to the committee on canals.

By unanimous consent,

Mr. Burroughs, from the select committee, to which was referred the bill entitled, "An act to authorise the Medina and Alabama plank road company to borrow money, and for other purposes." to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

On motion of Mr. Burroughs, and by unanimous consent,
The said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 69 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Cady	Higby	Noble	Stevens
O. Allen	G. Clark	Hinds	Pardee	Stewart
Atwood	Coffin	Hoppin	E. Perry	Stillwell
Backhouse	Cooke	Humphrey	Pool	Stratton
Baker	Congdon	Kinsley	Robinson	Swords
Barnes	Corser	Kellogg	Rockwell	Speaker
Belknap	Davis	Langdon	Rouse	Townsend
J. Benedict	Ellwood	Lawyer	Rowe	Tuthill
Bird	Farr	Leggett	Rufsey	Underwood
Blackstone	Ferris	Lesley	Ryan	Welden
Bowne	Feller	McLouth	Shall	Wheeler
Bradley	Fisk	Macomber	Sherman	Whiteside
Burroughs	Fordyce	Miles	Shultos	Yeomans
Bushnell	Hatch	Moss	Southwick	69

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

In pursuance of previous notice, Mr. H. Harris asked for and obtained leave to introduce a bill entitled, "An act to incorporate the University of Albany," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on colleges, academies and common schools.

Mr. H. Harris gave notice that he would, at an early day, ask leave to introduce a bill to amend an act in relation to terms of the supreme court held in the city of Albany, passed March 4, 1849.

Mr. H. Harris gave notice that he would, at an early day, ask leave to introduce a bill to amend an act to provide for the election of certain judicial officers, passed May 12, 1847.

In pursuance of previous notice, Mr. Townsend asked for and obtained leave to introduce a bill entitled, "An act to authorise the society of redemptionists to hold certain real estate heretofore conveyed," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Graham offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That Assembly bill No. 223 on the general orders be referred to the committee of the whole, which shall have charge of Assembly bill No. 73 on the general orders.

Debate being had thereon,

Ordered, That the said resolution be laid upon the table.

In pursuance of previous notice, Mr. Stevens asked for and obtained leave to bring in a bill entitled, "An act to amend the act

entitled, 'An act to incorporate the Syracuse city water works company,' passed April 5, 1850," which was read the first time and by unanimous consent was also read the second time, and referred to a select committee consisting of the Onondaga delegation.

On motion of Mr. Ward,

Resolved, That the bill entitled, "An act for the relief of the association for the benefit of colored orphans in the city of New-York," be recommitted to the committee on charitable and religious societies, retaining its place on the general orders.

On motion of Mr. Ferris,

Resolved, That Assembly bill No. 144, "An act to amend the several acts incorporating the village of Owego in the county of Tioga," together with the remonstrances against the same be recommitted to the committee on the incorporation of cities and villages, retaining its place on the general orders.

On motion of Mr. J. Benedict,

The order of unfinished business was suspended.

On motion of Mr. Baker,

The House then resolved itself into a committee of the whole on the bills entitled as follows :

The Senate bill entitled, "An act to repeal that portion of the Revised Statutes which declares what shall be an acceptance of the office of member of Congress."

"An act to legalize the proceedings of the trustees and electors of school district No. 17 (formerly No. 33) of the town of Fishkill, and to authorise the present trustees to raise money to pay certain debts and expenses."

"An act to amend the charter of Dundee."

"An act for the relief of Catharine Leland."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Coffin, from said committee, reported that the committee had gone through said first, second and fourth mentioned bills, and agreed to the same without amendment.

Mr. Coffin, from said committee, reported progress on said third mentioned bill, and asked and obtained leave to sit again.

Mr. Higby moved that the first mentioned bill be recommitted for the purpose of amending the title so that it shall read "An act for the relief of the whig party."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Higby and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the report of the said committee, and it was determined in the affirmative.

On motion of Mr. Feller,

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to authorise the payment of money by the county of Columbia to the Hudson orphan relief asylum."

The Senate bill entitled, "An act to authorise the commissioners of highways of the town of Schodack to borrow money."

"An act to extend the time for the collection of taxes in the towns of Bethlehem and New Scotland, Albany county."

Mr. Wheeler asked and obtained unanimous consent that the bill entitled, "An act making appropriations in part for the expenses of the government for the fiscal year commencing October 1, 1850, and for other purposes," be referred to the same committee.

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Briggs, from said committee, reported that the committee had gone through the two first mentioned bills, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bills be engrossed for a third reading.

Mr. Briggs, from said committee, reported that the committee had gone through said two last mentioned bills, and agreed to the same with amendments, which report was agreed to.

Ordered, That the said bills be engrossed for a third reading.

On motion of Mr. Pardee,

The House then resolved itself into a committee of the whole on the bills entitled, as follows, to wit:

"An act in relation to the powers and duties of the canal superintendents."

"An act to provide for an additional justice of the peace in the town of Hector in the county of Tompkins."

"An act to organize and establish a bank department."

And after some time spent thereon, Mr. Speaker resumed the chair, and announced that the hour of a quarter before two o'clock having arrived, the House would take a recess till four o'clock, P. M.

FOUR O'CLOCK P. M.

The House again met.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to establish free schools throughout the State."

"An act to provide for the support of common schools."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Heath, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

Mr. Burroughs moved that the bills entitled, "An act to establish free schools throughout the State," and "An act to provide for the support of common schools," be made the special order for to-morrow at two o'clock, P. M.

Mr. O. Allen moved to amend by substituting Monday for to-morrow.

Mr. Speaker put the question whether the House would agree to the said amendment, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole, on the bill entitled, as follows, to wit:

"An act in relation to the powers and duties of canal superintendents."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Sherman, from said committee, reported that the committee had gone through said bill, and agreed to the same without amendment.

Mr. Speaker put the question whether the House would agree to the report of the said committee, and it was determined in the affirmative.

{ AYES 59 }
{ NOES 16 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

O. Allen	Cady	Graham	McLouth	Swords
Anthon	Carrington	A. A. Gregory	Macomber	Speaker
J. W. Babcock	G. Clark	Greene	Miles	Townsend
Baker	Corser	H. Harris	Moss	Tuthill
J. Benedict	Douglass	Heath	Pardee	Underwood
T. H. Benedict	Ellwood	Hinds	Rouse	Varnum
Bird	Farr	Hoppin	Rowe	Wakeman
Blackstone	Feller	Ingersoll	Rumsey	Welden
Bottum	Fisk	Lake	Sherman	Wheeler
Bradley	Fordyce	Langdon	Shultes	Whiteside
Brayton	Gilbert	Leggett	Southwick	Yeomans
Briggs	Gleason	Lesley	Stevens	

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Those who voted in the negative are,

Barnes	Davis	Elderkin	Noble	Snell
Bowne	Dennison	French	Pool	Stewart
Burroughs	Doyle	Minier	Shall	Stratton
Bushnell				

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Ordered, That said bill be engrossed for a third reading.

Mr. Townsend offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That when this House adjourn it will adjourn until Monday.

Mr. Macomber moved to amend by adding "at 11 o'clock."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Macomber, and it was determined in the affirmative.

Mr. Burroughs moved to amend the amendment by adding "and that hereafter the House will meet each day at 11 o'clock, until otherwise ordered."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

Mr. O. Allen moved to strike out "11" and insert "1 o'clock, P. M."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the negative.

Mr. Pardee moved to adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Pardee, and it was determined in the negative.

{ AYES 23 }
{ NOES 51 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

O. Allen	Briggs	Hoppin	Pool	Stevens
J. Benedict	Carrington	Langdon	Rouse	Underwood
Blackstone	Farr	Leggett	Rumsey	Varnum
Bradley	Gleason	Miles	Shultes	Whiteside
Brayton	Higby	Pardee		

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Those who voted in the negative are,

H. J. Allen	Dennison	H. Harris	Maurice	Stewart
Anthon	Douglass	Heath	Minier	Stratton
Baker	Elderkin	Hinds	Moss	Swords
Barnes	Ferris	Humphrey	Rockwell	Speaker
T. H. Benedict	Feller	Ingersoll	Rowe	Townsend
Bowne	Fisk	Lake	Ryan	Tuthill
Burroughs	Fordyce	Lawyer	Shall	Wakeman
Bushnell	Graham	Lesley	Sherman	Welden
Cady	A. A. Gregory	McLouth	Snell	Wheeler
Corser	Greene	Macomber	Southwick	Yeomans
Davis				

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Mr. Macomber moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then announced the question to be on the resolution, as amended.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

{ AYES 50 }
{ NOES 27 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Douglass	H. Harris	Moss	Stratton
Anthon	Doyle	Heath	Noble	Swords
Barnes	Elderkin	Hinds	Rockwell	Speaker
T. H. Benedict	Farr	Ingersoll	Rowe	Townsend
Bowne	Ferris	Lawyer	Ryan	Tuthill
Burroughs	French	Leggett	Shall	Underwood

Cady	Gilbert	Lesley	Sherman	Varnum	
G. Clark	Graham	McLouth	Snell	Wakeman	
Davis	A. A. Gregory	Macomber	Southwick	Welden	
Dennison	Greene	Maurice	Stewart	Yeomans	50

Those who voted in the negative are,

O. Allen	Brayton	Higby	Miles	Rumsey	
Baker	Briggs	Hoppin	Minier	Shultes	
J. Benedict	Carrington	Humphrey	Pardee	Stevens	
Blackstone	Corser	Lake	Pool	Wheeler	
Bottum	Feller	Langdon	Rouse	Whiteside	
Bradley	Fordyce				27

— A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows :

“An act to alter the commissioners map of the city of Brooklyn,” which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the Kings co. delegation.

Mr. Underwood moved that the vote taken on the resolution just adopted be reconsidered.

Pending the consideration of which,

On motion of Mr. Stevens,

The House then, at 8 o'clock, adjourned.

MONDAY, MARCH 3, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Kingsbury.

The minutes of Friday was read and approved.

Mr. Fordyce presented the petition of inhabitants of the town of Perrinton, Monroe co., for an amendment of the charter of the city of Rochester in relation to the sale of fresh meats, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Fordyce presented the petition of citizens of the town of Pittsford, on the same subject, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Hoppin presented the petition of Lewis C. York and others, electors of the town of Brookfield, Madison county for the freeman's law, which was read and referred to the committee on the judiciary.

Mr. Hoppin presented the petition of J. S. Eldridge and others of Hamilton, Madison co., for the right of habeas corpus &c., to fugitive slaves, which was read and referred to the committee on the judiciary.

Mr. Hoppin presented the petition of L. C. Miles and others of Madison co., for the freeman's law, which was read and referred to the committee on the judiciary.

Mr. Farr presented the petition of the members of the Methodist Episcopal church of the village of Sandy Hill and its vicinity, for an

act authorising them to hold an election, which was read and referred to the committee on the judiciary.

Mr. Blackstone presented the petition of mechanics and others, of the city of New-York for a lien law, similar to the lien law for Richmond county, which was read and referred to the select committee consisting of the New-York delegation.

Mr. Brayton presented two several remonstrances of voters of Rome, Oneida county, against the police justice bill for the village of Rome, which were read and referred to the committee of the whole.

Mr. French presented the petition of 230 electors of the town of Sullivan, Madison county, for a law to prohibit treasonable and seditious meetings, and remonstrating against the passage of the Coffin bill, which was read and referred to the committee on the judiciary.

Mr. Humphrey presented the petition of 44 citizens of Wyoming co, for Webster's dictionary in each school district in the State, which was read and referred to the committee on colleges, academies and common schools.

Mr. Heath presented the petition of H. N. Davis and others, of the village of Amsterdam, for an alteration of the act of incorporation of said village, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Feller presented the petition of Tunis Wortman and others, of the town of Rhinebeck, Dutchess co., for the passage of a law paying witnesses in criminal cases, their necessary expenses, in attending the trial of such cases, which was read and referred to the committee on the judiciary.

Mr. Heath presented the petition of Samuel Voorhies for an amendment of the general plank road law, which was read and referred to the committee on roads and bridges.

Mr. Maurice presented the petition of Alfred F. Thorn and Emily his wife, for an act authorising the name of Livingston Conley to be changed to Livingston Thorn, which was read and referred to the committee on the judiciary.

Mr. Hoppin presented the petition of Oliver Poole and 56 others, asking the State to pay for the making of a road, which became necessary in consequence of the obstruction of a road by a reservoir, which was read and referred to the committee on canals.

Mr. Fitzhugh presented the petition of 332 inhabitants of the city of Rochester, for the amendment of that part of the charter of said city, restricting the sale of fresh meats, which was read and referred to the committee on the incorporation of cities and villages.

Mr. J. Benedict presented the petition of Joseph W. Sheffield and Pillis Sprague for relief, which was read and referred to the committee on canals.

Mr. Moss presented the remonstrance of the board of education, and inhabitants of the village of Lockport, against any alteration of the school laws of said village, which was read and referred to the committee on colleges, academies and common schools.

Mr. Bottum presented the petition of citizens of Wayne county, for a copy of Webster's dictionary in each school district in the state,

which was read and referred to the committee on colleges, academies and common schools.

Mr. E. Perry presented the petition of citizens of Albany, for a copy of Webster's dictionary for each school district in the State, which was read and referred to the committee on colleges, academies and common schools.

Mr. Congdon presented the remonstrance of trustees of school districts in the county of Allegany, against the passage of a law compelling school districts to purchase Webster's dictionary, which was read and referred to the committee on colleges, academies and common schools.

Mr. Hinds presented the remonstrance of inhabitants of Coleville, against a law allowing the Bainbridge and Lanesboro navigation company to improve the Susquehanna river, which was read and referred to the committee of the whole.

Mr. Gleason presented the petition of citizens of Roxbury, for an act authorising a special town meeting for the election of a justice of the peace to fill a vacancy, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Rowe presented the petition of citizens of Bethany, for aid to Genesee college, which was read and referred to the committee of the whole.

Mr. Bradley presented three petitions, Messrs. Congdon, O. Allen, Bushnell and Lake, one each, Mr. Fitzhugh two, Messrs. J. Benedict, Brayton and Southwick one each, Mr. Humphrey two, Mr. Ferris one, for a law prohibiting the sale of intoxicating drinks, which were read and referred to the select committee on that subject.

Messrs. Rockwell, A. A. Gregory, A. Smith, Cooke, McLouth, Sickles and Leggett one each, Mr. Miles two, Messrs. Higby, Humphrey and Ferris one each, asking for the repeal of the present free school law, which were read and referred to the committee of the whole on that subject.

Mr. Yeomans presented the petition of citizens of the town of Macedon for a law to protect free citizens of this state, which was read and referred to the committee on the judiciary.

Mr. O. Allen presented the remonstrance of merchants, mechanics, traders and citizens of the city of Buffalo generally, against the passage of a law compelling banks to redeem their circulation in the cities of New-York and Albany, which was read and referred to the committee on banks and insurance companies.

Mr. A. Smith presented the remonstrance of merchants and business men of Westfield, Chautauque co., against any law compelling country banks to redeem in New-York or Albany at par, which was read and referred to the committee on banks and insurance companies.

Mr. Briggs, from the committee on the judiciary, to which was referred the petition of sundry citizens of Livingston co., that surveyors may be allowed to take acknowledgments of deeds, reported adversely, and offered the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Briggs, from the committee on the judiciary, to which was referred the petition of Thos. J. Jacobs, for an act authorising him to change his name, reported, and asked and obtained leave to bring in a bill entitled, "An act authorising Thomas J. Jacobs to change his name," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Maurice, from the committee on the judiciary, to which was referred the bill entitled, "An act to facilitate the proof of payment of debts," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled, as follows, to wit:

"An act in relation to the powers and duties of canal superintendents."

"An act for the relief of Catharine Leland."

"An act to authorise the Medina and Alabama plank road company to borrow money, and for other purposes."

"An act to authorise the payment of money by the county of Columbia to the Hudson orphan relief asylum."

"An act to extend the time for the collection of taxes in certain towns and cities."

"An act making appropriations in part for the expenses of government for the fiscal year commencing October, 1850, and for other purposes."

Ordered, That said bills be read the third time.

Mr. Varnum, from the committee on railroads, to which was referred sundry petitions and the bill entitled, "An act to reduce the fare on railroads," reported adversely in writing, and offered the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

(See Doc. No. 88.)

Ordered, That said resolution and bill be committed to the committee of the whole.

Mr. Miles, from the committee on charitable and religious societies, to which was referred the memorial of the New-York house and school of industry, reported, and asked and obtained leave to bring in a bill entitled, "An act to incorporate the New-York house and school of industry," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Graham, from the committee on public printing, reported in favor of the passage of the following resolution:

Resolved, (If the Senate concur,) That the Secretary of State cause

to be compiled and printed in pamphlet form, all the laws of this State now in force relating to the poor thereof, and distribute a copy thereof to each of the town clerks and officers of this State charged with the administration of the poor laws.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Lesley, from the committee on roads and bridges, to which was referred the bill entitled, "An act to repeal an act entitled, 'An act to incorporate the Dover and Union Vale turnpike road company,' passed April 23, 1835," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Bird, from the committee on the internal affairs of towns and counties to which was referred the petition of inhabitants of Bushwick, for a law to lay out streets in said town, reported, and asked and obtained leave to bring in a bill entitled, "An act for the location of streets, roads and avenues in the town of Bushwick," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bird, from the committee on the internal affairs of towns and counties, to which was referred the petition of inhabitants of Onondaga co., for the passage of a law to prevent fishing in Oneida lake with any seine or net, reported, and asked and obtained leave to bring in a bill entitled, "An act for the preservation of fish in Oneida lake," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Fisk, from the committee on charitable and religious societies, to which was referred the bill entitled, "An act for the relief of the association for the benefit of colored orphans in the city of New-York," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. A. Smith, from the committee on the judiciary, to which was referred the petition of Marion Beggs, for a law to enable her to take, hold and convey certain real estate, reported, and asked and obtained leave to bring in a bill entitled, "An act to enable Marion Beggs to take, hold and convey certain real estate," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. A. Smith, from the committee on the judiciary, to which was referred the petition of sundry citizens of Oswego co., for the relief of Thomas W. Dixon, reported adversely in writing, and offered the following resolution :

Resolved, That the judiciary committee be discharged from the further consideration of the petition for the relief of Thos. W. Dixon, on the ground that a law for such relief is unnecessary.

Mr. Speaker put the question, whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, reported the bill entitled, "An act in relation to the powers and duties of the town superintendents of common schools," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Cady, from the committee on the petitions of aliens, to which was referred the petition of Edwin Wright, William Wright and Esther Wright, for the relief of Erasta Ann Wright, reported, and asked and obtained leave to bring in a bill entitled, "An act to release the interest of the State in certain real estate in the county of Erie to Erasta Ann Wright, only child of the late Erastus B. Wright, an alien, and to authorise her to take, hold and convey the same," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to amend the charter of the village of Cooperstown," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Chamberlin, from the committee on grievances, to which was referred the petition of the trustees of the Remington union cemetery association, reported, and asked and obtained leave to bring in a bill entitled, "An act to amend an act entitled, 'An act to authorise the incorporation of rural cemetery associations,' passed April 27, 1847," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Stevens, from the select committee consisting of the Onondaga co. delegation, to which was referred the bill entitled, "An act to amend the act entitled, 'An act to incorporate the Syracuse city water works co.,' passed April 5, 1849," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Anthon, from the select committee, to which was referred so much of the Governor's message as relates to the difficulties which have arisen between the citizens of Richmond co. and the inhabitants of the State of New-Jersey, in reference to the oyster fisheries in Newark and New-York bays, reported the following:

Resolved, (If the Senate concur,) That the Attorney General be instructed carefully to enquire and ascertain, whether the rights of fishery claimed by citizens of this State in Newark and New-York bays, within the territorial limits of the State of New-Jersey, can be established according to law, and if, in his opinion, such rights can be so established, that he take such measures either by suit at law or by

any other proceedings, as will test the validity of this claim on the part of the citizens of the State of New-York.

Debate being had thereon,

Ordered, That the said resolution be laid upon the table.

Mr. Noble, from the select committee, to which was referred the petitions of sundry inhabitants of Franklin and Warren counties, for the improvement of Saranac river and lakes, reported in writing, and asked and obtained leave to bring in a bill entitled, "An act for the improvement of Saranac river and lakes," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

A message from the Governor was received and read, informing that he had approved and signed the bills entitled as follows :

"An act in relation to elections held by the Troy Cemetery association, and conferring further powers on the trustees thereof."

"An act for the relief of the Shimecock tribe of Indians."

A communication was received from the trustees of the savings bank of Utica, with the annual report of that institution, which was read and referred to the committee on banks and insurance companies.

The annual report of the harbor master of the port of Albany was read, and referred to the committee on commerce and navigation.

The report of the trustees of the Brooklyn institute was read, and referred to the committee on colleges, academies and common schools.

Mr. Speaker laid before the House the sixth annual report of the Prison Association of New-York.

Mr. Baker moved that the usual number be printed, and 1000 additional for the use of the association.

Mr. Burroughs moved to amend by substituting "500" in place of "1000."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Baker, and it was determined in the affirmative.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act in relation to the penitentiary of Onondaga co."

Mr. Stevens moved that the House concur in said amendments.

Mr. Speaker put the question whether the House would agree to the amendments of the Senate, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Bushnell	Fordyce	Leggett	A. Smith
O. Allen	Cady	French	Lesley	E. T. Smith
Anthon	Carrington	Gleason	McLouth	Southwick

R. Babcock	Chamberlin	Graham	Macomber	Stevens
J. W. Babcock	G. Clark	A. A. Gregory	Maurice	Stilwell
Backhouse	J. F. Clark	H. Harris	Miles	Stratton
Baker	Cooke	L. Harris	Moss	Swords
Barnes	Congdon	Heath	Pardee	Speaker
J. Benedict	Corser	Higby	E. Perry	A. A. Thompson
T. H. Benedict	Davis	Hinds	Robinson	O. C. Thompson
Bird	Elderkin	Hoppin	Rockwell	Underwood
Blackstone	Ellwood	Humphrey	Rowe	Varnum
Bottum	Farr	Ingersoll	Rumsey	Wakeman
Bowne	Ferris	Kellogg	W. F. Russell	Welden
Bradley	Feller	Lake	Sherman	Wheeler
Brayton	Fisk	Langdon	Shultes	Whiteside
Briggs	Fitzhugh	Lawyer	Sickles	Yeomans 85

Ordered, That the Clerk return the said bill to the Senate, with a message informing, that the Assembly had concurred in the said amendments, and amended the same accordingly.

The bill entitled, "An act to authorise the commissioners of the town of Schodack to borrow money," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	G. Clark	Graham	McLouth	A. Smith
O. Allen	J. F. Clark	A. A. Gregory	Macomber	E. T. Smith
R. Babcock	Cooke	H. Harris	Maurice	Southwick
J. W. Babcock	Corser	L. Harris	Miles	Stevens
Baker	Dennison	Hatch	Minier	Stilwell
Barnes	Dewey	Heath	Moss	Stratton
J. Benedict	Elderkin	Hinds	Noble	Speaker
Bird	Ellwood	Hoppin	Pardee	A. A. Thompson
Blackstone	Farr	Humphrey	E. Perry	Tuthill
Bottum	Ferris	Ingersoll	Robinson	Underwood
Bowne	Feller	Kellogg	Rockwell	Varnum
Brayton	Fisk	Lake	Rowe	Welden
Briggs	Fitzhugh	Langdon	Rumsey	Wheeler
Cady	Fordyce	Lawyer	Ryan	Whiteside
Carrington	French	Leggett	Shultes	Yeomans
Chamberlin	Gleason	Lesley	Sickles	79

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to legalize the proceedings of the trustees and electors of school district No. 17 (formerly No. 33) of the town of Fishkill, and to authorise the present trustees to raise money to pay certain debts and expenses," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being presents, as follows :

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	G. Clark	Gleason	McLouth	A. Smith
O. Allen	J. F. Clark	Graham	Macomber	E. T. Smith
R. Babcock	Cooke	A. A. Gregory	Maurice	Southwick
J. W. Babcock	Congdon	H. Harris	Miles	Stevens
J. Benedict	Corser	L. Harris	Minier	Stilwell
T. H. Benedict	Dennison	Heath	Moss	Stratton
Bird	Dewey	Hinds	Noble	Speaker
Blackstone	Doyle	Hoppin	Pardee	A. A. Thompson
Bottum	Elderkin	Humphrey	E. Perry	Tuthill
Bowne	Ellwood	Ingersoll	Robinson	Underwood
Bradley	Farr	Kinsley	Rockwell	Varnum
Brayton	Ferris	Kellogg	Rowe	Wakeman
Briggs	Feller	Lake	Rumsey	Welden
Bushnell	Fisk	Langdon	Ryan	Wheeler
Cady	Fitzhugh	Lawyer	Shultes	Whiteside
Carrington	French	Lealey	Sickles	Yeomans
Chamberlin				

81

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act making appropriations in part for the expenses of government for the fiscal year commencing October, 1850, and for other purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Cady	Gleason	Lealey	Sickles
O. Allen	Carrington	A. A. Gregory	McLouth	A. Smith
Anthon	Chamberlin	H. Harris	Macomber	E. T. Smith
R. Babcock	G. Clark	L. Harris	Maurice	Southwick
Baker	J. F. Clark	Hatch	Miles	Stevens
Barnes	Cooke	Heath	Minier	Stillwell
Belknap	Congdon	Higby	Moss	Stratton
J. Benedict	Corser	Hinds	Noble	Swords
T. H. Benedict	Dennison	Hoppin	Pardee	Speaker
Bird	Dewey	Humphrey	E. Perry	Tuthill
Blackstone	Doyle	Ingersoll	J. L. Perry	Underwood
Bottum	Elderkin	Kellogg	Rockwell	Varnum
Bowne	Ellwood	Lake	Rowe	Wakeman
Bradley	Farr	Langdon	Rumsey	Wheeler
Brayton	Ferris	Lawyer	Ryan	Whiteside
Briggs	Feller	Leggett	Shultes	Yeomans
Bushnell	Fordyce			

82

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to extend the time for the collection of taxes in certain towns and cities," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Carrington	Gleason	Lesley	A. Smith
O. Allen	Chamberlin	Graham	McLouth	E. T. Smith
Anthon	G. Clark	A. A. Gregory	Macomber	Southwick
R. Babcock	J. F. Clark	H. Harris	Maurice	Stevens
Baker	Cooke	L. Harris	Miles	Stilwell
Barnes	Congdon	Hatch	Minier	Stratton
J. Benedict	Corser	Heath	Moss	Swords
T. H. Benedict	Dennison	Higby	Noble	Speaker
Bird	Dewey	Hinds	Pardee	Tuthill
Blackstone	Elderkin	Hoppin	E. Perry	Underwood
Botum	Ellwood	Humphrey	J. L. Perry	Varnum
Bowne	Farr	Ingersoll	Rockwell	Wakeman
Bradley	Ferris	Kellogg	Rowe	Welden
Brayton	Feller	Lake	Rumsey	Wheeler
Briggs	Fisk	Langdon	Ryan	Whiteside
Bushnell	Fitzhugh	Lawyer	Shultes	Yeomans
Cady	Fordyce	Leggett	Sickles	84

Ordered, That the Clerk return the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act for the relief of Catharine Leland," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Carrington	Fordyce	Leggett	A. Smith
O. Allen	Chamberlin	Gleason	Lesley	E. T. Smith
R. Babcock	G. Clark	A. A. Gregory	McLouth	Southwick
Baker	J. F. Clark	H. Harris	Macomber	Stevens
Barnes	Cooke	L. Harris	Maurice	Stilwell
J. Benedict	Congdon	Hatch	Miles	Stratton
T. H. Benedict	Corser	Heath	Minier	Speaker
Bird	Dennison	Higby	Moss	Tuthill
Blackstone	Dewey	Hinds	Noble	Underwood
Botum	Elderkin	Hoppin	Pardee	Varnum
Bowne	Ellwood	Humphrey	E. Perry	Wakeman
Bradley	Farr	Ingersoll	Rockwell	Welden
Brayton	Ferris	Kellogg	Rumsey	Wheeler
Briggs	Feller	Lake	Ryan	Whiteside
Bushnell	Fisk	Langdon	Shultes	Yeomans
Cady	Fitzhugh	Lawyer	Sickles	79

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to authorise the payment of money by the county of Columbia to the Hudson orphan relief asylum," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 72 }
{ NOES 09 }

Those who voted in the affirmative are,

H. J. Allen	Carrington	Graham	Leggett	Sickles
O. Allen	Chamberlin	A. A. Gregory	Lesley	A. Smith
J. W. Babcock	J. F. Clark	H. Harris	McLouth	E. T. Smith
Barnes	Cooke	L. Harris	Macomber	Southwick
J. Benedict	Corser	Hatch	Maurice	Stevens
T. H. Benedict	Dennison	Heath	Miles	Stilwell
Bird	Dewey	Hinds	Moss	Stratton
Blackstone	Elderkin	Hoppin	Noble	Speaker
Bottum	Ellwood	Humphrey	Pardee	Tuthill
Bowne	Farr	Ingersoll	E. Perry	Wakeman
Bradley	Ferris	Kellogg	Rowe	Welden
Brayton	Feller	Lake	Rumsey	Wheeler
Briggs	Fordyce	Langdon	Ryan	Whiteside
Bushnell	French	Lawyer	Shultes.	Yeomans
Cady	Gleason			

72

Those who voted in the negative are,

Anthon	Congdon	Higby	Rockwell	Underwood
G. Clark	Fisk	Lewis	W. F. Russell	

9

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

On motion of Mr. Wakeman,

Resolved, That the papers in relation to the claim of Ebenezer Pierce for canal damages, be taken from the files of the House and referred to the committee on claims.

By unanimous consent,

Mr. Elderkin asked for and obtained leave to bring in a bill entitled, "An act to amend the laws of the State of New-York in regard to the militia, and for the better organization of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defence.

Mr. Elderkin moved that three times the usual number be printed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the affirmative.

On motion of Mr. Wheeler,

Resolved, That the Senate bill entitled, "An act to amend the act

entitled, 'An act incorporating the Sackett's Harbor and Saratoga railroad company,' " be recommitted to the standing committee on railroads, and retain its place on the general orders.

On motion of Mr. O. Allen,

Resolved, That the petition and papers of William Imlay be taken from the files of this House and referred to the committee on commerce and navigation.

By unanimous consent,

Mr. Baker asked for and obtained leave to bring in a bill entitled, "An act to alter the commissioners' map of the city of Brooklyn," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of the Kings co. delegation.

On motion of Mr. Bird,

Resolved, That the report of the Canal Board on the petition of citizens of Buffalo in relation to Black Rock harbor be printed.

In pursuance of previous notice, Mr. H. Harris asked for and obtained leave to introduce a bill entitled, "An act to amend an act entitled, 'An act in relation to the powers of the supreme court held in the city of Albany,'" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Hatch, and by unanimous consent,

Resolved, That five times the usual number of the report on the interest of money be printed.

On motion of Mr. H. Harris,

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act to authorise the erection of a fire proof building for the State Library, and to provide for the better accommodation of the Legislature."

And after some time spent thereon, Mr. Speaker resumed the chair, and announced that the hour of a quarter before two o'clock having arrived, the House would take a recess till four o'clock, P. M.

FOUR O'CLOCK P. M.

The House again met.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to establish free schools throughout the State."

"An act to provide for the support of common schools."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Heath, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

A message from the Governor was received and read, informing that he had approved and signed the bill entitled as follows :

"An act to incorporate the city of Oswego, passed March 24, 1848, and the act amending the same, passed March 31, 1849."

Mr. Robinson moved that the several bills in relation to free schools be made the special order for Tuesday next at four o'clock, P. M.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Robinson, and it was determined in the affirmative.

The Senate returned the bill entitled, "An act in relation to the Penitentiary of Onondaga county."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bills entitled as follows:

"An act to amend an act entitled, 'An act concerning the district attorney in the county of Ulster,' passed May 14, 1842," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act relating to the redemption of bank notes, passed May 4, 1840," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

On motion of Mr. H. Harris.

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act to authorise the erection of a fire proof building for the State Library, and to provide for the better accommodation of the Legislature."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Ellwood, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

In pursuance of previous notice, Mr. Humphrey asked for and obtained leave to bring in a bill entitled, "An act to amend the act entitled, 'An act in relation to jurors in the city of New-York,' passed December 15, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the select committee consisting of the New-York delegation.

On motion of Mr. Elderkin,

The House, at half past six o'clock, adjourned.

TUESDAY, MARCH 4, 1851.

The House met pursuant to adjournment,

Prayer by the Rev. Mr. Hazen.

The minutes of yesterday were read and approved.

Mr. Lewis presented the remonstrance of fifty farmers and mechanics of Oswego co., against legalizing the acts of a meeting recently held at New Haven in said county, purporting to be a meeting of the

agricultural society, of said county, which was read and referred to the committee on agriculture.

Mr. Humphrey presented the petition of citizens of Wyoming co., for the repeal of the new school law, Mr. Ingersoll two petitions, Messrs. Leggett and Burroughs one each, Mr. Pool two, Messrs. Graham, Ferris, A. A. Gregory and Gilbert one each, on the same subject, which were read and referred to the committee of the whole.

Mr. Townsend presented the memorial of citizens of New-York as to the Erie railroad, which was read and referred to the committee on railroads.

Mr. Hatch presented the petition of farmers of Oswego co., for confirming the doings of the Oswego agricultural society, which was read and referred to the committee on agriculture.

Mr. Burroughs presented the petition of Reuben Harris and 100 others, inhabitants of Orleans county, for the passage of a law to prevent the abduction of freemen under the fugitive slave law, which was read and referred to the committee on the judiciary.

Mr. Noble presented the petition of a committee of the Warrensburgh division, No. 206 sons of temperance, for the passage of a law, making venders of intoxicating drinks, liable for injuries arising from such sale, which was read and referred to the select committee on that subject.

Mr. Baker presented the petition of the Williamsburgh dispensary for an appropriation, which was read and referred to the committee on ways and means.

Mr. L. Harris presented the petition of inhabitants of New Berlin, for a new county to be formed from parts of Madison, Chenango and Otsego, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Dewey presented the petition of Daniel M. Trickey, to have his name changed to Daniel Milton, which was read and referred to a select committee consisting of the New-York delegation.

Mr. Humphrey presented the petition of citizens of Castell, Wyoming co., for the passage of a law suppressing the liquor traffic, Mr. Burroughs one, Mr. J. F. Clark two, Mr. Noble one, Mr. Bushnell four, and Mr. Bradley one, severally, on the same subject, which were read and referred to the select committee on that subject.

Mr. T. H. Benedict presented the petition of the trustees of the White Plains academy, for an act authorising the sale of said academy, which was read and referred to the committee on colleges, academies and common schools.

Mr. Burroughs presented the petition of sundry inhabitants of Orleans county, for an amendment of the laws for the support of the poor, which was read and referred to a select committee to be appointed.

Mr. Townsend presented the memorial of citizens of New-York, as to the Erie railroad, which was read and referred to the committee on railroads.

Mr. Wheeler presented the memorial of citizens of New-York city, praying for annual appropriation of \$5000 for two years in aid of

Madison University, which was read and referred to the committee on colleges, academies and common schools.

Mr. Southwick presented the petition of citizens of Seneca co., praying for a re-charter of the Sodus canal, which was read and referred to the committee of the whole when on that subject.

Mr. Townsend presented the memorial of citizens of New-York, for the prevention of the diversion of any portion of the traffic of the New-York and Erie railroad through the State of New-Jersey, which was read and referred to the committee on railroads.

Mr. L. Harris, presented the petition of inhabitants of the towns of Morris and Butternuts, Otsego co., to annex parts of said towns to the town of New Berlin, Chenango co., which was read and referred to the committee on the erection and division of towns and counties.

Mr. Congdon presented the petition of James Smith and William Fisher, of the town of New Hudson, Allegany co., for interest on certain moneys awarded to them by the Canal Appraisers, which was read and referred to the committee on claims.

Mr. Sherman presented the petition of George Mead, of Poughkeepsie, that the police justice may be elected annually, which was read and referred to the committee on the judiciary.

Mr. Greene presented the petition of owners of water lands, to erect a wooden building on the same in the 16th ward of the city of New-York, which was read and referred to a select committee consisting of the New-York delegation.

Mr. Hatch presented the remonstrance of 40 farmers of Richland, Oswego co., against legalizing the acts of a meeting held at New-Haven, in said co., purporting to be a meeting of the agricultural society, which was read and referred to the committee on agriculture.

Mr. Coffin presented the petition of the Odd Fellows lodge of Richfield, Otsego co., for authority to hold real estate, which was read and referred to the committee on charitable and religious societies.

Mr. W. F. Russell presented the petition of 600 inhabitants of Ulster and Dutchess counties, for a grant to establish a ferry across the Hudson river between the villages of Ulster and Tivoli, which was read and referred to a select committee consisting of the Ulster and Dutchess co. delegations.

Mr. Varnum, from the committee on railroads, to which was referred the petition of the supervisors of Monroe co., for an act requiring the Tonawanda railroad co. to construct and keep in repair a good and substantial fence along the line of their road, reported, and asked and obtained leave to bring in a bill entitled, "An act in relation to fencing the Buffalo and Rochester railroad," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bird, from the committee on the internal affairs of towns and counties, to which was referred the petition of the trustees of the village of Lewiston, for an act to incorporate a company to supply the village of Lewiston with water, reported, and asked and obtained leave to bring in a bill entitled, "An act to incorporate the Lewiston water works co.," which was read the first time, and by unanimous

consent was also read the second time, and committed to the committee of the whole.

The bill from the Senate entitled, "An act to repeal that portion of the Revised Statutes which declares what shall be an acceptance of the office of member of Congress," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 70 }
{ NOES 30 }

Those who voted in the affirmative are,

O. Allen	Chamberlin	Graham	Lawyer	Shultes
Anthon	Cooke	A. A. Gregory	Leggett	A. Smith
J. W. Babcock	Corser	W. S. Gregory	Lesley	Southwick
Baker	Dewey	Greene	McLouth	Stevens
J. Benedict	Douglass	H. Harris	Macomber	Swords
T. H. Benedict	Elwood	L. Harris	Miles	Speaker
Bird	Farr	Heath	Moss	Townsend
Blackstone	Ferris	Hinds	Pardee	Underwood
Bottum	Feller	Hoppin	J. L. Perry	Varnum
Bradley	Fisk	Humphrey	Rouse	Wakeman
Brayton	Fitzhugh	Ingersoll	Rowe	Welden
Briggs	Fordyce	Kellogg	Rumsey	Wheeler
Cady	Gilbert	Lake	Ryan	Whiteside
Carrington	Gleason	Langdon	Sherman	Yeomans 70

Those who voted in the negative are,

H. J. Allen	Congdon	Lewis	Robinson	Snell
Barnes	Dougherty	Maurice	Rockwell	Stewart
Bowen	Elderkin	Miner	W. Russell	Stilwell
Barrington	French	Noble	W. F. Russell	Stratton
Bushnell	Hatch	E. Perry	Sickles	A. A. Thompson
J. F. Clark	Higby	Pool	E. T. Smith	O. C. Thompson 30

Ordered, That the Clerk return the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act in relation to the powers and duties of canal superintendents," was then read a third time.

Mr. Elderkin moved that said bill be recommitted.

Mr. Speaker decided said motion out of order.

Mr. Elderkin appealed from the decision of the chair.

Mr. Speaker put the question, "Shall the decision of the chair stand as the judgment of the House?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 71 }
{ NOES 30 }

Those who voted in the affirmative are,

O. Allen	Cooke	A. A. Gregory	Leggett	A. Smith
Anthon	Corser	W. S. Gregory	Lesley	Southwick
J. W. Babcock	Dewey	Greene	McLouth	Stevens
Baker	Douglass	H. Harris	Macomber	Swords
J. Benedict	Ellwood	L. Harris	Miles	Speaker
T. H. Benedict	Farr	Heath	Moss	Townsend
Bird	Ferris	Hinds	Pardee	Tuthill
Blackstone	Feller	Hoppin	J. L. Perry	Underwood
Bottum	Fisk	Humphrey	Rouse	Varnum
Bradley	Fitzhugh	Ingersoll	Rowe	Wakeman
Brayton	Fordyce	Kellogg	Rumsey	Welden
Briggs	Gilbert	Lake	Ryan	Wheeler
Cady	Gleason	Langdon	Sherman	Whiteside
Carrington	Graham	Lawyer	Shultes	Yeomans
Chamberlin				

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Those who voted in the negative are,

H. J. Allen	Congdon	Higby	Robinson	Snell
Barnes	Dougherty	Lewis	Rockwell	Stewart
Bowne	Doyle	Minier	W. Russel	Stilwell
Burroughs	Elderkin	Noble	W. F. Russell	Stratton
Bushnell	French	E. Perry	Siekles	A. A. Thompson
J. F. Clark	Hatch	Pool	E. T. Smith	O. C. Thompson

30

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bill entitled as follows:

"An act to amend the act entitled, 'An act to provide for sick and disabled seamen,' passed April 22, 1831, also to amend the several acts passed November 16, 1847, and April 11, 1849, amendatory of the said act," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A communication from the Commissioners of Emigration was received, containing certain statements in addition to their annual report.

Ordered, That the said report be printed.

On motion of Mr. Anthon,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit:

Resolved, (If the Senate concur,) That the Attorney General be instructed carefully to enquire and ascertain, whether the rights of fishery claimed by citizens of this State in Newark and New-York bays, within the territorial limits of the State of New-Jersey, can be established according to law, and if, in his opinion, such rights can be so established, that he take such measures either by suit at law or by any other proceedings, as will test the validity of this claim on the part of the citizens of the State of New-York.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Speaker announced the following select committee of nine

ordered by the House, empowered to take charge of such bills on the general orders as may properly be ordered to a third reading without being acted on in committee of the whole : Messrs. Underwood, Hatch, Greene, Atwood, Maurice, Stevens, Backhouse, Hewit and Wooster.

On motion of Mr. Varnum,

Resolved, That the act entitled, "An act to authorise the board of supervisors of the city and county of New-York to raise money by tax," be taken from the committee of the whole and recommitted to the select committee consisting of the New-York delegation, but to retain its place on the general orders.

Mr. Graham offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That Assembly bill No. 234 on the general orders, be referred to the committee of the whole having in charge Assembly bill No. 73 on the general orders.

Mr. Graham asked and obtained unanimous consent that said resolution might at this time be debated.

After debate, Mr. Burroughs moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

{ AYES 56 }
{ NOES 31 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

O. Allen	Carrington	Fisk	Macomber	Swords
Anthon	Cooke	Fitzhugh	Maurice	Speaker
J. W. Babcock	Congdon	Fordyce	Miles	A. A. Thompson
Baker	Corser	Graham	Pardee	Townsend
J. Benedict	Dewey	A. A. Gregory	J. L. Perry	Tuthill
T. H. Benedict	Douglass	W. S. Gregory	Rouse	Underwood
Bird	Elderkin	Greene	Rowe	Varnum
Bottum	Ellwood	H. Harris	Sherman	Wakeman
Bradley	Farr	Lake	Shultes	Welden
Brayton	Ferris	Langdon	A. Smith	Whiteside
Briggs	Feller	McLouth	Southwick	Yeomans
Cady				

56

Those who voted in the negative are,

Barnes	Doyle	Heath	E. Perry	E. T. Smith
Blackstone	French	Higby	Rockwell	Snell
Burroughs	Gilbert	Hoppin	Rumsey	Stevens
J. F. Clark	Gleason	Kellogg	W. Russell	Stilwell
Coffin	L. Harris	Lawyer	W. F. Russell	Stratton
Dennison	Hatch	Lewis	Sickles	Wheeler
Dougherty				

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The hour of forty-five minutes past one o'clock having arrived, the House took a recess till four o'clock.

FOUR O'CLOCK P. M.

The House again met.

Mr. H. J. Allen moved to suspend the special order for fifteen minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. H. J. Allen, and it was determined in the affirmative.

Mr. Wakeman, from the select committee, to which was referred sundry petitions on the subject of assessments and taxes, reported in writing, and asked and obtained leave to bring in a bill entitled, "An act to amend chapter thirteen of the Revised Statutes in relation to the assessment and collection of taxes," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Swords moved to print three times the usual number of the report of the committee on assessments and taxes.

Mr. Stevens moved to amend by striking out three and inserting five.

Debate being had thereon,

Ordered, That the said motion be laid upon the table.

Mr. Hatch gave notice that he would, at some future day, ask leave to introduce a bill giving power to the commissioners of the land office to grant certain lands.

Mr. E. Perry gave notice that he would, at an early day ask leave to introduce a bill in relation to the Watervliet Turnpike company.

Mr. J. L. Perry offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That twenty times the usual number of the annual report of the State medical society be printed for the use of the Legislature, and 250 copies for the use of the society.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

On motion of Mr. Elderkin,

Resolved, That the engrossed bill from the Senate, being No. 347 on the general orders of this House be referred to the first committee of the whole.

By unapimous consent,

Mr. H. J. Allen, from the select committee, to which was referred the bill entitled, "An act to regulate the rates of wharfage on lighters in the cities of New-York and Brooklyn," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Macomber asked for and obtained leave to bring in a bill entitled, "An act to abolish and to prevent land monopoly, and to secure homestead exemption to the people," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public lands.

Mr. L. Harris, from the committee on militia and public defence, to which was referred the bill entitled, "An act for the organization and discipline of the ununiformed militia of the first division district of the New-York State militia," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

In pursuance of previous notice, Mr. H. Harris asked for and obtained leave to introduce a bill entitled, "An act to amend an act entitled, 'An act to provide for the election of certain judicial and other officers, and to fix their terms of office, passed May 12, 1847,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. J. L. Perry, from the committee on medical colleges and societies, to which was referred the bill entitled, "An act making an appropriation for the support in part of certain hospitals," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Burroughs offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the committee on railroads be discharged from the further consideration of the bill to prevent railroad companies from giving free tickets, and that it be referred to the committee of the whole having charge of bill No. 73.

Debate being had thereon,

Ordered, That the said resolution be laid upon the table.

On motion of Mr. Moss,

Resolved, That the committee on railroads be directed to enquire and report upon the expediency of so amending the general railroad law, that in all cases where any railroad company and the owner of any land proposed to be taken for the purposes of any railroad, cannot agree as to the land to be taken or compensation to be paid therefor, the question as to what land may be taken, shall be passed upon and determined by the same commissioners who are appointed to assess the damages or others appointed for that purpose, and that said committee report by bill or otherwise.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to establish free schools throughout the State."

"An act to provide for the support of common schools."

"An act to authorise railroad corporations of this State to subscribe to the capital stock of the Great Western railroad, Canada West."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Heath, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

On motion of Mr. Townsend,

Resolved, That the fourth rule of the Assembly be suspended so far as to be inapplicable to those bills which the committee of nine shall recommend to report complete, till the further order of this House.

Mr. Elderkin moved that the two bills relating to schools, and the bill authorising railroad companies in this state to subscribe to the capital stock of the Great Western railroad, Canada West, be made the special order for to morrow at 4 o'clock.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the affirmative.

Mr. O. Allen moved that the bill in relation to authorising railroads in this State to subscribe to the capital stock of the Great Western railroad, Canada West, be printed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the affirmative.

The House, at twenty minutes past six o'clock, adjourned.

WEDNESDAY, MARCH 5, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Kingsbury.

The minutes of yesterday were read and approved.

Mr. Ward presented the petition of Samuel R. Jinks and sundry inhabitants of Harlaem and vicinity, asking for an act of incorporation authorising them to construct a railroad through the sixth avenue in the city of New-York, from forty-second street to Harlaem river, with the privilege of bridging that river and extending their road into the interior of the State, which was read and referred to the committee on railroads.

Mr. Fitzhugh presented the petition of Joseph Fellows and John Greig, agents of the Pulteney and Hornby estates to perpetuate testimony of the deaths of David Cathcart and John Hunter Hornby, which was read and referred to the committee on the judiciary.

Mr. Ferris presented three remonstrances against the new or amended charter for the village of Owego, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Elderkin presented the petition of W. and G. McVey for the use of the Assembly chamber on the evening of the seventh inst.

Mr. Elderkin moved that leave be granted.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the negative.

Mr. E. Perry presented a petition from the common council of the city of Albany in relation to the bill favourably to the University, which was read and referred to the committee on colleges, academies and common schools.

Mr. Underwood presented the petition of citizens of Owego for an amendment of the charter of that village, which was read and referred to the committee of the whole.

Mr. Sickels presented the remonstrance of 110 citizens of Rockland co., against the recent action of the New-York and Erie railroad co., in diverting the trade and travel of said road in the State of New Jersey, which was read and referred to the committee on railroads.

Mr. W. F. Russel presented the petition of Granger and Todd for relief, which was read and referred to the committee on canals.

Mr. Maurice presented the petition of the Maspeth avenue and toll bridge co., for leave to mortgage their corporate property in order to raise money to plank their road, which was read and referred to the committee on roads and bridges.

Mr. Baker presented the petition of Jacob B. Boerum for the passage of an act relating to the city of Brooklyn, which was read and referred to the committee of the whole on that subject.

Mr. Bushnell presented the petition of 142 tax payers of the town of Henderson, Jefferson co., for an amendment of the assessment laws so as to cause the burthen of taxation to fall equally upon all the property of the state, which was read and referred to the committee of the whole.

Mr. Lewis presented the petition of 60 farmers of Richland, Oswego co., for a law to legalize the proceedings of the meeting of the Oswego co. agricultural society, held at New Haven on the fourth day of January last, which was read and referred to the committee on agriculture.

Mr. Brayton presented two several remonstrances of voters in Rome, Oneida co., against a law for the election of a police justice at Rome village, which were read and referred to the committee of the whole on that subject.

Mr. Ward presented the petition of the officers of the New-York gallery of the fine arts praying for an amendment of their charter, which was read and referred to a select committee to be appointed.

Mr. Lesley presented a remonstrance against any law for constructing a road from Johnsburgh in Warren co., to Wells in Hamilton co., which was read and referred to the committee on roads and bridges.

Mr. Maurice presented the remonstrance of Geo. M. Woolsey and others, citizens of Queens co., against the introduction of nuisances into that co., which was read and referred to the committee on the judiciary.

Mr. Bushnell presented the petition of Abijah Fitch, for a law providing for the appointment of commissioners to investigate the charges

made against the officers of the Sing Sing prison, in relation to the destruction of the property of Hotchkiss and Smith by fire at said prison, which was read and referred to the committee on the judiciary.

Mr. Coffin presented the petition of 80 citizens of Otsego co., Mr. Brayton the petition of sundry inhabitants of Boonville, Oneida co., Mr. Wheeler two petitions of citizens of Franklin co., Mr. Bushnell the petition of citizens of Jefferson co., Mr. Whiteside the petition of 170 inhabitants of Washington co., Mr. Humphrey the petition of citizens of Wyoming co., Mr. Graham the petition of citizens of the town of Ulysses for the suppression or regulation of the liquor traffic, which were read and referred to the select committee on that subject.

Mr. Maurice presented four petitions of citizens of Queens co., Mr. Swords the petition of sundry inhabitants of St. Lawrence co., Mr. Pool the petition of sundry inhabitants of Jefferson co., Mr. Humphrey the petition of citizens of Wyoming co., Mr. Carrington the petition of 85 citizens of Steuben co., Mr. Tuthill the petition of sundry inhabitants of Suffolk co., Mr. J. Benedict the petition of citizens of Oneida co., for the repeal or modification of the free school law, which were read and referred to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill from the Senate entitled, "An act to authorise the minister, elders and deacons of the Reformed Dutch church, of the town of German Flats, to sell and convey certain lands," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill from the Senate entitled, "An act to amend an act entitled, 'An act to authorise the appointment of commissioners to take the proof and acknowledgment of deeds, &c.,'" reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petitions of citizens of the counties of Erie, Wyoming and Cattaraugus, for the repeal of an act entitled, "An act to confirm certain securities and conveyances, passed March 28, 1850," reported the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to change the name of Livingston Conley to Livingston Thorn," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend an act entitled, 'An act in relation to the powers of the supreme court held in the city of Albany,'" reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the bill entitled, "An act in relation to the Newtown and Maspeth plank road company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Ward, from the committee on charitable and religious societies, to which was referred the bill from the Senate entitled, "An act to amend the act entitled, 'An act to provide for sick and disabled seamen,' also the several acts amendatory of the same," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Wheeler from the committee on ways and means, reported the bill entitled, "An act in relation to the State Arsenal in the city of New-York."

Ordered, That the said bill be committed to the committee of the whole.

Mr. Wakeman, from the committee on commerce and navigation, to which was referred the bill entitled, "An act to incorporate the Union steam vessel company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Sherman, from the committee on claims, to which was referred the bill from the Senate entitled, "An act to provide for the appraisal and payment of canal damages to Oliver Barker," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Bird, from the committee on the internal affairs of towns and counties, to which was referred the petition of John Carpenter and others, for the draining of certain lands, reported, and asked and obtained leave to bring in a bill entitled, "An act to provide for the draining of certain lands in the town and city of Oswego," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bird, from the committee on the internal affairs of towns and counties, to which was referred the petition of citizens of Roxbury, reported that chapter twenty-eight of the Laws of 1849 provide for the case, and therefore report adversely, which report was agreed to.

Mr. Backhouse, from the committee on grievances, to which was referred the petition of John S. Van Schaick and others, for relief, reported the following resolution :

Resolved, That the committee on grievances be discharged from the further consideration of the petition of John S. Van Schaick, and that the same be referred to the committee on claims.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Baker, from the minority of the committee on state prisons, to which was referred the bill entitled, "An act directing the sentence and confinement of certain criminals in the third and fifth judicial districts in the Albany and Onondaga co. penitentiaries instead of the state prisons," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Baker, from the select committee consisting of the Kings co. delelation, to which was referred the bill from the Senate entitled, "An act to alter the commissioners' map of the city of Brooklyn," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

The report of the State Engineer and Surveyor, in answer to a resolution of this House, relative to the unsold lands in certain counties, was received and referred to the committee on public printing.

The annual report of the Hudson city savings bank, was received and referred to the committee on banks and insurance companies.

Mr. Miles gave notice of his intention to introduce a bill making appropriations for the purpose of taking testimony in certain suits testing the title to certain lands within this State.

Mr. Swords called up the resolution offered by him yesterday in reference to the printing of the report of the committee on equalization and assessment of taxation, and having been amended so as to read as follows :

Resolved, That five times the usual number of the bill entitled, "An act to amend chapter thirteen of the Revised Statutes, in relation to the assessment and collection of taxes," be printed.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. Wakeman,

Resolved, That the bill reported by the select committee on assessments be made the special order for Monday next at 12 o'clock, M.

Mr. G. Clark gave notice that he would, at an early day, ask leave

to introduce a bill to increase the number of policemen in the sixteenth ward of the city of New-York.

Mr. Hatch gave notice that he would, at a future day, ask leave to introduce a bill to authorise the city of Oswego to borrow money.

Mr. Townsend offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the select committee of nine, empowered to report to the House such bills as may properly be ordered to a third reading without being acted on in committee of the whole, be also authorised to report to the House such bills as ought to be put forward on the general orders.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. O. Allen gave notice of his intention, at some future day, to move to suspend each and every rule of this House.

Mr. H. Harris offered for the consideration of the House, a resolution, in the words following, to wit :

Resolved, That the use of the Assembly chamber be granted to Dr. S. G. Howe, of Boston, to-morrow evening, at seven o'clock, P. M., for the purpose of addressing the members of the Legislature and others on the instruction of idiots.

Debate being had thereon,

Ordered, That the said resolution be laid upon the table.

On motion of Mr. J. L. Perry,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That twenty times the usual number of the annual report of the State medical society be printed for the use of the Legislature, and 250 copies for the use of the society.

Ordered, That the said resolution be referred to the committee on printing.

By unanimous consent,

Mr. Baker asked for and obtained leave to introduce a bill entitled, "An act relative to courts in the county of Kings," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Moss asked for and obtained leave to bring in a bill entitled, "An act to amend the charter of the village of Lockport," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Dewey gave notice that he would, at an early day, ask leave to introduce a bill to amend the law in relation to the oyster fisheries in Suffolk county.

In pursuance of previous notice, Mr. Hatch asked for and obtained leave to introduce a bill entitled, "An act authorising the commissioners of the land office to grant certain lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public lands.

On motion of Mr. Fitzhugh,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That those members of this House who have not received copies of the Revised Statutes, (having been prevented by illness or absence from procuring the same) be furnished therewith by the clerk.

Mr. Briggs moved to amend by striking out all after the word Statutes and inserting "be furnished with the same by the Clerk upon their written request, and that the same be paid for out of the contingent fund of the House."

Mr. Burroughs moved to add "and that ten copies be placed in the Assembly library."

Both of which amendments were accepted and the resolution as amended was adopted.

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act to authorise the erection of a fire proof building for the State Library, and to provide for the better accommodation of the Legislature."

"An act to establish and organize a bank department."

And after some time spent thereon, Mr. Speaker resumed the chair, and announced that the hour of a quarter before two o'clock having arrived, the House would take a recess till four o'clock, P. M.

FOUR O'CLOCK P. M.

The House again met.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to establish free schools throughout the State."

"An act to provide for the support of common schools."

"An act to authorise railroad corporations of this State to subscribe to the capital stock of the Great Western railroad, Canada West."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Heath, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

Mr. T. H. Benedict moved that the school bills had under consideration in committee of the whole be made the special order for Monday next at 4 o'clock, P. M.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. T. H. Benedict, and it was determined in the affirmative.

Mr. H. Harris moved to recommit the act to authorise the erection of a fire proof building for the State Library to the committee to report a bill in accordance with the plans submitted to the House, and that it retain its place in the committee of the whole.

Mr. Speaker put the question whether the House would agree

to the said motion of Mr. H. Harris, and it was determined in the affirmative.

On motion of Mr. Elderkin,

Resolved, That the bill entitled, "An act to authorise railroad corporations to subscribe to the capital of the Great Western railroad, Canada West," be made the special order for to-morrow at one o'clock.

By unanimous consent,

Mr. T. H. Benedict asked for and obtained leave to bring in a bill entitled "An act to legalize the acts of the several school districts of this State providing for the support of common schools," and moved that it be referred to the committee of the whole having charge of the several school bills, and that it be made the special order for Monday at four o'clock, P. M.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. T. H. Benedict, and it was determined in the affirmative.

On motion, the House, at half-past six o'clock, adjourned.

THURSDAY, MARCH 6, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Hazen.

The minutes of yesterday were read and approved.

Mr. Speaker announced the following select committee on the petition for amendments to the laws for the support of the poor in Orleans co.: Messrs. Burroughs, Fordyce, Briggs, Stilwell and Elderkin.

Also, the following select committee on the petition of the officers of the New-York gallery of fine arts for amendment of charter: Messrs. Ward, Dougherty, Bradley, T. H. Benedict and Stratton.

Mr. Miles presented two petitions of citizens of Steuben co., for the passage of a law making Addison a half shire-town in said co., which were read and referred to the committee of the whole when on that subject.

Mr. Maurice presented the petition of citizens of New-York and Westchester counties, for a law regulating the planting and taking of oysters and other shell fish in Harlem river and the creeks of Westchester co., which was read and referred to a select committee consisting of the New-York and Westchester delegations.

Mr. Heath presented the petition of Peter J. Wagner, for a law authorising the Fort Plain and Cherry Valley plank road co. to borrow money, which was read and referred to the committee on roads and bridges.

Mr. Bushnell presented the petition of inhabitants of Jefferson co., for an amendment of the assessment laws, which was read and referred to the committee of the whole when on that subject.

Mr. Gleason presented the petition of Isabella Chisholm, of Kortright, Delaware co., for a law to confirm her title to certain real estate, which was read and referred to the committee on the judiciary.

Mr. Humphrey presented the petition of citizens of Wyoming co., for a law making it highly penal to assist in the removal of any inhabitant of this State against his will, which was read and referred to the committee on the judiciary.

Mr. Noble presented the remonstrance of citizens of Athol, Warren co., against the alteration of the State's road through said town, which was read and referred to the committee on roads and bridges.

Mr. Stevens presented the petition of Wm. B. Ashley and others, of Onondaga co., for a law making the usual appropriations to Geneva college, which was read and referred to the committee on colleges, academies and common schools.

Mr. Varnum presented the memorial of the Medical department of the University of the city of New-York, for the balance of an appropriation and for other relief, which was read and referred to the committee on medical colleges and societies.

Mr. Noble presented the remonstrance of the inhabitants of Warren county, against the bill for the construction of a road from Johnsbury in said county, to Wells in Hamilton county, which was read and referred to the committee on roads and bridges.

Mr. Smith presented the remonstrance of inhabitants of Suffolk co., owners of vessels, against the passage of a law compelling certain vessels to pay pilotage, which was read and referred to the committee of the whole.

Mr. Underwood presented the petition of Augustus Pettibone late sheriff of Cayuga co., which was read and referred to the committee on the judiciary.

Mr. Maurice presented the petition of Andrew McGowan and others of New-York, for a law authorising them to make a railroad in the city of New-York, through the centre of the sixth avenue from forty-second street to Harlem river, and across said river into the interior of the State, which was read and referred to the committee on railroads.

Mr. Heath presented the petition of Geo. D. Ferguson and others, of the village of Fonda for a law authorising the election of trustees of said village on the second Tuesday of May next, which was read and referred to the committee on the incorporation of cities and villages.

Mr. McLouth presented the petition of citizens of Ontario county, for an appropriation to Geneva college, which was read and referred to the committee on colleges, academies and common schools.

Mr. J. Benedict presented the petition of Peter J. Wagner to amend the charter of the Union mutual insurance company, which was read and referred to the committee on banks and insurance companies.

Mr. Stillwell presented the petition of citizens of Ogdensburgh, for a law to extend and re-charter said village, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Stillwell presented the petition of Alden Vilas and others, of St. Lawrence county, for an appropriation to build an arsenal at Ogdensburgh, which was read and referred to the committee on ways and means.

Mr. Minier presented the petition of citizens of Chemung co., for a copy of Webster's dictionary in every school district in the State, which was read and referred to the committee on colleges, academies and common schools.

Mr. Doyle presented the petition of inhabitants of school district No. 3 in the town of Hancock, Delaware county, for relief, which was read and referred to the committee on colleges, academies and common schools.

Mr. Severance presented the petition of citizens of Boston, Erie co., for the repeal of the law making the office of county clerk of said county a salaried office, and to reduce the fees of said county, which was read and referred to the committee of the whole.

Mr. Rowe presented the petition of citizens of Batavia, Genesee county, for the usual appropriation to Geneva college, recommended by the Governor, which was read and referred to the committee on colleges, academies and common schools.

Mr. Bushnell presented the petition of sundry inhabitants of Orleans, Jefferson county, for a law incorporating the Orleans academy, which was read and referred to the committee on colleges, academies and common schools.

Mr. Severance presented the petition of Wilson Rogers and others of Erie county, for the passage of a law prohibiting the sale of intoxicating drinks, Mr. Fisk presented two, Messrs. Bushnell, Tuthill and Farr, severally presented petitions in reference to the same subject, which was read and referred to the select committee.

By unanimous consent,

Mr. Stilwell asked for and obtained leave to introduce a bill entitled, "An act to extend the boundaries and re-incorporate the village of Ogdensburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Lake presented the petition of Hugh T. McNair and Hugh McNair, for the payment of damages caused by the stoppage of a culvert on the Genesee Valley canal, which was read and referred to the committee on claims.

Mr. Bird presented the remonstrance of citizens of Buffalo, against the passage of any law to compel country banks to redeem their notes, in New-York and Albany, at a less rate of discount than at present, which was read and referred to the committee on banks and insurance companies.

Mr. Sherman presented two petitions, Mr. Maurice two, Mr. Wright, Leggett, Burroughs and Babcock, Mr. Briggs two petitions of sundry citizens, praying for the repeal of the present free school law, which were read and referred to the committee of the whole.

Mr. Maurice, from the committee on the judiciary, to which was referred the bill from the Senate entitled, "An act to release the in-

terest of the State in certain lands of which John Jackson died possessed, to Jemima Jackson, his widow," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Maurice, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend an act entitled, 'An act to provide for the election of certain judicial and other officers, and to fix their terms of office,' passed May 12, 1847," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Maurice, from the committee on the judiciary, to which was referred the petition of Daniel M. Frickey, for a change of name, reported, and asked and obtained leave to bring in a bill entitled, "An act to change the name of Daniel Milton Frickey to Daniel Milton," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Maurice, from the committee on the judiciary, to which was referred the petition of the members of the Methodist Episcopal society of the village of Sandy Hill and its vicinity, for an act authorising them to hold an election, reported, and asked and obtained leave to bring in a bill entitled, "An act to provide for the election of trustees of the Methodist Episcopal society of the village of Sandy Hill and its vicinity," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the petition of Geo. H. Derby & Co., of Buffalo, praying that the book entitled, "The Library of Natural History, &c.," be introduced in district schools libraries, reported the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Bird moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Bird, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the petition of 190 citizens of Macedon, Wayne co., for an appropriation to enable them to erect a new edifice for the use of the Macedon academy, reported the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the petition of the board of supervisors of Washington co., asking for the repeal of the law making it the duty of school district clerks to record marriages, births and deaths, reported the following resolution :

Resolved, That the committee be discharged from the further consideration of the subject, and that it be referred to the select committee having the same in charge.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the petition of 140 inhabitants of the village of Lockport, Niagara co., to take from the board of education of said village the power to raise any tax to support the high school or academy, and for other purposes, also the remonstrance on the same subject, reported the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Lesley, from the committee on roads and bridges, to which was referred the petition of inhabitants of Stein's location, in the village of Fulton, for a tax to enable them to build a bridge, reported, and asked and obtained leave to bring in a bill entitled, "An act to provide for building a bridge on the site of the Oswego Falls bridge," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the petitions of the commissioners of the town of Wilna and the trustees of the village of Carthage, Jefferson co., asking for leave to lay out a road less than three rods wide, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the commissioners of highways of the town of Wilna to lay out a public highway less than three rods wide," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Varnum, from the committee on railroads, to which was referred the bill entitled, "An act to prohibit free tickets upon railroads," reported that the committee had examined said bill, and had come to the conclusion that the same ought not to be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Varnum, from the minority of the committee on railroads, presented a report in writing on the same subject.

(See Doc. No. 98.)

Ordered, That said report be committed to the committee of the whole.

Mr. Burroughs moved that the report be made the special order for to-morrow at 12 o'clock, M.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

Mr. H. Harris, from the joint library committee, to which was re-committed the bill entitled, "An act to authorise the erection of a fire proof building for the State Library, and to provide for the better accommodation of the Legislature," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Macomber, from the committee on state prisons, to which was referred that portion of the annual report of the Inspectors of State Prisons which relates to the erection of a wall around the State prison at Sing Sing, reported, and asked and obtained leave to bring in a bill entitled, "An act to provide for the building of a wall around the State prison at Sing Sing," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(See Doc. No. 89.)

Mr. Macomber, from the committee on state prisons, to which was referred the bill entitled, "An act in relation to the prison farm at Sing Sing," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Macomber, from the minority of the committee on state prisons, to which was referred the bill entitled, "An act in relation to state prisons in this State," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Baker, from the majority of the committee on state prisons, reported a bill on the same subject entitled, "An act in relation to state prisons in this State," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred the petition of Joseph Hall and others, praying for the passage of a law to authorise the depositors of the Rochester savings bank to elect trustees, reported the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Varnum, from the select committee consisting of the New-York delegation, to which was referred the bill entitled, "An act to amend an act entitled, 'An act in relation to jurors in the city of New-York,' passed December 15, 1847," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Varnum, from the select committee consisting of the New-York delegation, to which was referred the bill entitled, "An act to amend an act entitled, 'An act relation to justices' and police courts in the city of New-York,' passed March 30, 1848," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. W. F. Russell, from the select committee consisting of the Ulster co. delegation, to which was referred the petition of inhabitants of Ulster co., for the passage of an act incorporating the Ulster and Tivoli ferry co., reported, and asked and obtained leave to bring in a bill entitled, "An act to incorporate the Ulster and Tivoli ferry co." which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Speaker presented a communication from his excellency the Governor, transmitting certain resolutions of the Legislature of the State of Florida recommending the establishment by Congress of a bureau of agriculture in the department of the interior, which was read and referred to the committee on agriculture.

On motion of Mr. H. Harris,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the use of the Assembly chamber be granted to Dr. S. G. Howe, of Boston, to-morrow evening, at seven o'clock, for the purpose of addressing the members of the Legislature and others on the instruction of idiots.

Mr. Speaker put the question whether the House would agree to the said resolution of Mr. H. Harris and it was determined in the affirmative.

Mr. Elderkin offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the use of the Assembly chamber be granted to Mr. McVey on Saturday evening next, for the purpose of a lecture on the science of government.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

On motion of Mr. Greene,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

WHEREAS, An express provision was made in the charter of the Erie railroad, against any diversion of the route into the states of Pennsylvania and New-Jersey, and subsequently a grant of three millions of dollars was made from the State treasury, of the money of the people, for the completion of an enterprise of which this State expected to realize the benefits, therefore.

Resolved, That the committee on railroads be directed to inquire if said Erie railroad has in any manner violated or evaded the provisions of its charter, and report at an early day to this body.

Mr. Higby moved to amend by striking out the preamble.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Higby, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. A. Smith,

Resolved, That the committee on canals be directed to report a bill for reducing the tolls on foreign salt from five to three mills per thousand pounds.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

M. W. S. Gregory gave notice that he would, at an early day, ask leave to introduce a bill regulating the planting and taking of oysters in Harlaem river and the creeks of Westchester county.

On motion of Mr. Pool,

Resolved, That the use of this House for this evening be given to Mr. O. B. Pierce of Oneida co., who will lecture on the different views entertained by the people of this State, upon the necessity of a modification of the existing excise laws.

Mr. Ward gave notice that he would, at an early day, ask leave to introduce a bill to amend that portion of the Revised Statutes in relation to misdemeanors.

On motion of Mr. Townsend,

Resolved, That the select committee of nine, impowered to report to the House such bills as may properly be ordered to a third reading without being acted on in committee of the whole, be all authorised to report to the House such bills as ought to be put forward on the general orders.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

On motion of Mr. Burroughs,

Resolved, That private claims be made the special order for Saturday next, immediately after reading the journal, and that on that day the House will meet at 10 o'clock.

On motion, leave of absence was granted to Messrs. Hoppin and Gilbert for one week each, Messrs. Rouse, Feller, Southwick, Stratton, Yeomans and Robinson, for four days each, Mr. Kinsley two days, Mr. Leggett three days.

In pursuance of previous notice, Mr. Hatch asked for and obtained leave to bring in a bill entitled, "An act to authorise the city

of Oswego to borrow money," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the Oswego and Onondaga delegations-

On motion of Mr. Hatch,

Resolved, That the petition and papers in relation to building a road bridge across the Oswego canal in the village of Phoenix, presented at the last session, be withdrawn from the files of this House and referred to the standing committee on canals.

Mr. Baker offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the several bills relating to the state prisons of the State, now before the House, be made the special order for Tuesday, the 18th inst., at four o'clock.

Mr. Burroughs moved to amend by substituting "to-morrow at 12 o'clock," in place of "Tuesday, the 18th inst., at four o'clock."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act to authorise the erection of a fire proof building for the State Library, and to provide for the better accommodation of the Legislature."

And after some time spent thereon, Mr. Speaker resumed the chair, and announced the special order.

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act to authorise railroad corporations of this State to subscribe to the capital stock of the Great Western railroad, Canada West."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Heath, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Burroughs offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That this House will take no recess to-day, and that when it adjourn it will adjourn until to-morrow at 11 o'clock, A. M.

Mr. Macomber moved to amend by substituting 10 o'clock.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Macomber, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the resolution, and it was determined in the affirmative.

On motion of Mr. Briggs,

The House, at ten minutes to two o'clock, adjourned.

FRIDAY, MARCH 7, 1851.

The House met pursuant to adjournment,

Prayer by the Rev. Mr. Kingsbury.

The minutes of yesterday were read and approved.

Mr. Ferris presented the petition of members of the bar in Tioga county, for a law library to be located in the southern tier of counties, which was read and referred to the committee on ways and means.

Mr. Blackstone presented the petition of 700 ladies and gentlemen of New-York and Brooklyn, for some further legal provisions, for the street children of large towns and cities, which was read and referred to the committee on grievances.

Mr. Hatch presented the petition of citizens of Hannibal, Oswego county, for a law restraining the sale of intoxicating liquors, Mr. Chamberlain from citizens of Bloomfield, Mr. Stewart of citizens of Fulton co., on the same subject, which were read and referred to the select committee.

Mr. Douglass presented the petition of Henry J. Newton and 60 others, of the county of Chautauque, for the repeal of the act of 1849, recognizing a Seneca government, and for the restoration of the government by chiefs, which was read and referred to the committee on Indian affairs.

Mr. Snell presented two petitions of inhabitants of Oneida and Steuben counties, for an act extending the powers of notaries public, which was read and referred to the committee on the judiciary.

Mr. J. Benedict presented the petition of sundry inhabitants of Oneida co., for the purchase of Webster's dictionary, which was read and referred to the committee on colleges, academies and common schools.

Mr. Ferris presented the petition of trustees of the village of Dundee, against the passage of the bill to amend the charter of said village, which was read and referred to the committee of the whole.

Mr. A. A. Gregory presented the petition of the Cayuga nation of Indians for the payment of annuities due to said nation from the State of New-York, which was read and referred to the committee on claims.

Mr. Bradley presented the petition of 40 citizens of Skaneateles, Onondaga county, to have lots No. 67, 73, 84, 85, 86, 87 and a part of 65 set off to the town of Owasco, Cayuga county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. J. Benedict presented the petition of the school teachers of Westmoreland, for the passage of a law to purchase Webster's dictionary, which was read and referred to the committee on colleges, academies and common schools.

Mr. J. F. Clark presented the petition of sundry inhabitants of Marcellus, Onondaga county, that the bill reported by the minority

of the committee on colleges &c., may be passed into a law, which was read and referred to the committee of the whole on that subject.

Mr. Doyle presented the petition of citizens of Delaware co., Mr. French of citizens of Madison co., Mr. L. Harris of citizens of Chenango co., Mr. Maurice of citizens of Queens co., Mr. Le Roy of citizens of Onondaga co., Mr. Bishop of citizens of Columbia co., Mr. Fordyce of citizens of Monroe co., Mr. A. A. Gregory of citizens of Cattaraugus co., Messrs. Kinsley and Ward, severally petitions for the repeal of the present free school law, and the re-enactment of the old law, which was read and referred to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition for the passage of a law confirming the election of certain town officers in the town of Loraine, Jefferson co., reported, and asked and obtained leave to bring in a bill entitled, "An act to confirm the election and proceedings of certain town officers of the town of Loraine, in the county of Jefferson," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend the act in relation to suits by and against joint stock companies and associations by extending the same to companies having a joint interest in property," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of the Poughkeepsie and New Paltz ferry co., for an amendment of their charter, reported, and asked and obtained leave to bring in a bill entitled, "An act to amend the act to establish the Poughkeepsie and New Paltz ferry company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, offered the following resolution:

Resolved, That Assembly bill No. 88, entitled, "An act in relation to the attendance of grand jurors at courts of sessions in the county of Chenango," be re-committed to the judiciary committee, and retain its place on the general orders.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to regulate the salary of the district attorney of the county of Ontario," reported that the committee had examined said bill, and had come to the conclusion that the same ought not to be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Tuttle, from the committee on medical colleges and societies,

to which was referred the memorial of the trustees of the New-York medical college, praying for authority and aid in building a city hospital, reported, and asked and obtained leave to bring in a bill entitled, "An act to give the New-York medical college power to found and maintain an hospital connected with said college," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Tuthill, from the committee on medical colleges and societies, to which was referred the petition praying for the payment of the balance of an appropriation to the medical department of the N. Y. University, reported, and asked and obtained leave to bring in a bill entitled, "An act providing for the payment of a balance of an appropriation to the medical department of the University of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Varnum, from the committee on railroads, to which was referred the petition on that subject, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorize the city of Troy and certain railroad corporations to subscribe for and become owners of the stock for the construction of a railroad thorough the whole or some portion of the said city of Troy," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Varnum from the committee on railroads reported the following resolution, to wit :

Resolved, That the New-York and Erie railroad company furnish without delay, to this House the following information, covering the time since the opening of the Patterson and Ramapo railroad to Sufferns.

1st. Under the oath of their ticket agent at Piermont, a monthly statement of the number of passengers who have paid fare to Sufferns station from any point or station west thereof also the same for all who have paid fare from Sufferns station to any place or station west thereof ; also a monthly statement of all paying passengers who have passed Sufferns station going east, and a monthly statement of those who have passed that station going west during the same period ; also a monthly statement of all paying steamboat passengers during the same period between New-York and Piermont ; also the difference of fare, if any charged for passage to and from Sufferns and New-York, to any point west of Sufferns during the same period.

2d. The president or secretary to inform this House what price per passenger is now paid by them between New-York city and Sufferns, under arrangements made with the Union railroad company, and the time for transit allowed under such arrangement between Sufferns and the Deane street dock, and the time required for transfer of passengers at Sufferns, and whether any arrangements have been made or are in contemplation for widening the track of the Union railroad either by that or by the Erie railroad company ; also a statement under the oath of conductors of the usual time actually occupied in the transit and transfer of passengers taking the longest time, ex-

cept in case of accidents; also whether said company have subscribed to the stock of or in any way contributed or agreed to contribute funds to the construction of any other railroad, and if so, by what authority.

Mr. Speaker put the question whether the House would agree to the said resolution; and it was determined in the affirmative.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the petition for the passage of an act authorising the election of trustees and other officers in the village of Fonda, Montgomery co., reported, and asked and obtained leave to bring in a bill entitled, "An act authorising the election of trustees and other officers in the village of Fonda, county of Montgomery," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the petition of the Maspeth avenue and toll bridge co., for leave to mortgage their corporate property to raise money, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorize the Maspeth avenue and toll bridge company to mortgage their corporate property in order to raise money to enable them to plank their road," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Backhouse, from the committee on grievances, to which was referred the petition of John Keller and David Lipe, reported the following resolution:

Resolved, That the petition of John Keller and David Lipe, with accompanying papers, be referred to the Attorney General to examine into the claims of said petitioners, and report thereon to this House or their successors.

Mr. Speaker put the question whether the House would agree to the said resolution; and it was determined in the affirmative.

Mr. O. Allen, from the select committee, to which was referred the annual report of the Commissioners of Emigration, reported in writing, and asked and obtained leave to bring in the bills entitled as follows:

"An act declaratory of and to amend chapter 350 of the Laws of 1849, in regard to the Marine hospital at Staten Island," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

"An act to amend laws relating to passengers coming to the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Hatch, from the select committee consisting of the Oswego co. delegation, to which was referred the bill entitled, "An act to authorize the city of Oswego to borrow money," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

J. Benedict	Carter	Higby	Beckwith	Tutill
Bird	Dewey	Horton	Rowe	Underwood
Bishop	Douglass	Ingersoll	Rumsey	Varnum
Blackstone	Doyle	Kinsley	W. Russell	Ward
Bettum	Farr	Kellogg	W. F. Russell	Welden
Bradley	Ferris	Langdon	Ryan	Whedder
Brayton	Fisk	Lawyer	Severance	Wright
Briggs				

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Ordered, That the Clerk return the said bill to the Senate, with a message informing, that the Assembly had concurred in the said amendments, and amended the same accordingly.

On motion of Mr. J. Benedict,

Resolved, That Assembly bill No. 147 be recommitted to the committee on the incorporation of cities and villages, with the remonstrance accompanying the same.

In pursuance of previous notice, Mr. J. Benedict asked for and obtained leave to introduce a bill entitled, "An act to amend an act to amend and consolidate the several acts relating to the city of Utica, passed March 31, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent,

Mr. Varnum from the majority of the select committee, to which was referred the petition in relation to the Tonawanda Indians, reported, and asked and obtained leave to bring in a bill entitled, "An act in relation to certain controversies respecting the Tonawanda Indians reservation," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Underwood from the select committee of nine, reported the following bills as proper to be referred to select committees, to report complete, to wit:

"An act in relation to all companies transacting the business of life insurance in this state."

"An act to alter the commissioners' map of the city of Brooklyn."

Senate bill, "An act to enable Enos Collins to take, hold and convey real estate in this State."

Senate bill, "An act to amend the charter of the city of Schenectady."

Senate bill, "An act to incorporate the New-York State and National law school."

"An act to repeal an act entitled, 'An act to amend an act for the more effectual prevention of fires in the city of New-York.'"

"An act to amend an act entitled, 'An act to extend the charter of the firemen in the city of New-York.'"

"An act in relation to the duties of superintendents of the poor."

"An act to authorize the common council of the city of Oswego, to levy a tax for the building of a fire-proof county clerk's office in that county."

"An act to amend an act entitled, 'An act to provide for the incorporation of telegraph companies,' passed April 12, 1848."

"An act to authorize the commissioners of the land office to sell certain lands belonging to the people of this State, situated in the city of Syracuse, and to purchase other lands."

"An act to incorporate the Thistle benevolent association of the city of New-York."

"An act in relation to the district attorney of the county of Kings."

"An act to authorize the supervisors and justices of the peace of Newtown, to designate two places in that town for the confinement of prisoners."

"An act to enable Mary Louisa Powers and her trustee to sell and convey or mortgage certain trust property."

"An act to amend title sixteen, chap. eight, part three, of the Revised Statutes, entitled, 'Of proceedings for the draining of swamps, marshes and other low lands.'"

"An act to amend the charter of St. Luke's hospital."

"An act to amend the charter of the Cayuga and Susquehanna railroad company."

"An act to authorize the board of supervisors of the several counties in this State to make the office of district attorney a salaried office, and for the salary thereof."

"An act in relation to the sheriff of the county of Kings."

"An act to enable the supervisors of the town of Poughkeepsie and Fishkill, to borrow money to build a bridge over Wappinger's creek."

"An act to authorize the Oxford and Butternuts turnpike company to abandon a part of their road."

In pursuance of previous notice, Mr. W. S. Gregory asked for and obtained leave to introduce a bill entitled, "An act to regulate the planting and taking of oysters and other shell fish in the Harlem river and the creeks of Westchester county," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of the New-York and Westchester delegations.

By unanimous consent,

Mr. Macomber asked for and obtained leave to bring in a bill entitled, "An act to reduce fare on all the railroads between Albany and Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the select committee.

In pursuance of previous notice, Mr. Ferris asked for and obtained leave to bring in a bill entitled, "An act to provide for the election of a Senator in Congress, in the place of Daniel S. Dickinson and to amend the Revised Statutes in relation to the election of Senators in congress," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. G. Clark asked for and obtained leave to introduce a bill entitled, "An act authorizing the common council of the city of New-York, to grant unto the 16th ward of said city twenty additional policemen," which was read the first time, and by unanimous consent was also read the second time, and referred to the select committee consisting of the New-York delegation.

In pursuance of previous notice, Mr. Ward asked for and obtained leave to introduce a bill entitled, "An act to provide for the construction of section fifty-three, of article four, of title three, chapter one, part four of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. H. Harria,

Resolved, That the bill for the relief of William H. Douglass and others, and also for the relief of Charles Ehle, 201 and 355 on the general orders be referred to the same committee of the whole that will have in charge the bill to settle the claims of Stiles Johnson and Horace Butler on their canal contracts.

By unanimous consent,

Mr. Stevens asked for and obtained leave to bring in a bill entitled, "An act to extend the time for the collection of taxes in the city of Syracuse," which was read the first time, and by unanimous consent was also read the second time, and referred to the select committee consisting of the Onondaga delegation.

By unanimous consent,

Mr. Cady presented the petition of Ezra Sims and others, against the passage of the pilot bill, which was read and referred to the committee of the whole.

On motion of Mr. Heath,

Resolved, That Assembly bill 293, be referred to the same committee of the whole with Assembly bill No. 140, printed number.

On motion of Mr. Burroughs,

Resolved, That Senate bill No. 20, be referred to the committee having charge of the bill relating to the Western railroad.

Mr. Le Roy gave notice that he would move the suspension of the 4th rule of this House, so far as to allow the Senate bill amending the charter of the village of Skaneateles to be referred to a select committee to report complete.

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act to authorise the erection of a fire proof building for the State Library, and to provide for the better accommodation of the Legislature."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Ryan, from said committee, reported that the committee had gone through said bill, and agreed to the same with amendments.

Mr. Burroughs moved to restore section six of said bill, which had been stricken out by the committee.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the report of the said committee, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole on the bills entitled, as follows, to wit:

"An act to provide for an additional justice of the peace in the town of Hector, in the county of Tompkins."

"An act to organize and establish a bank department."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Gregory, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same with an amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

Mr. Gregory, from said committee, reported progress on said last mentioned bill, and asked and obtained leave to sit again.

Mr. Speaker announced the following bills as referred to select committees, hereinafter named, with power to report complete, to wit:

"An act in relation to the sheriff of Kings co.," the delegation from Kings co.

"An act in relation to the district attorney of Kings co.," the delegation from Kings co.

"An act to alter the commissioners' map of Brooklyn," the delegation from Kings co.

"An act declaring Chateaguay river a public highway, and regulating the passage of lumber down the same," Messrs. Wheeler, L. Harris and Horton.

"An act to amend the charter of the St. Luke's hospital in the city of New-York," Messrs. Townsend, Congdon and Cady.

"An act in relation to the duties of superintendents of the poor," Messrs. Le Roy, Baker and Bird.

"An act to incorporate the Thistle benevolent association of New-York," Messrs. Macomber, Minier and W. S. Gregory.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bills entitled as follows:

"An act for the relief of George H. Boughton, or his assignee, contractor on section 14 of the Erie canal enlargement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act for the relief of Solomon Parmelee, a contractor on section 11 of the Erie canal enlargement," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

"An act for the relief of Wm. Buell, jr., Hamilton N. Sherwood and James Oswald, contractors on section 13 of the Erie canal enlargement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to authorize county clerks to appoint special deputies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the officers having charge of highways, and to the labor assessed thereon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled, 'An act to incorporate the American female guardian society,' passed April 6, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act for the relief of Charles A. Daniels, John M. K. Hilton and Charles Moore, or their assignees, contractors on the twelfth section of the Erie canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Speaker having announced the order of business to be unfinished business,

Mr. J. Benedict moved to lay this order of business on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. J. Benedict, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole, on the bills entitled, as follows, to wit:

"An act relative to the election of directors of the Union bridge co."

"An act to authorise the Utica steam woollen mills co. to increase its capital stock."

"An act to authorise the Utica globe mills co. to increase its capital stock."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Ward, from said committee, reported that the committee had gone through said bills, and agreed to the same with amendments to said first mentioned bill, which report was agreed to.

Ordered, That the said bills be engrossed for a third reading.

On motion of Mr. O. Allen,

Resolved, That the petition of Jonas Ingraham, relating to his claim for work on the Main and Hamburg-st. canal, in the city of Buffalo, be recommitted to committee on claims.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

Senate bill, "An act to amend the act entitled, 'An act to provide for sick and disabled seamen,' passed April 22, 1831, also to amend the several acts passed Nov. 6, 1847, and April 11, 1849, amendatory of the said act."

"An act to extend the time for the collection of taxes in the town of Bath, in the county of Steuben."

"An act authorising the election of trustees and other officers of the village of Fonda."

And after some time spent thereon, Mr. Speaker resumed the chair and Mr. Severance, from said committee, reported, that the committee had gone through said bills, and agreed to the same with amendments which report was agreed to.

Ordered, That the said bills be engrossed for a third reading.

Mr. Speaker announced the following bills as referred to select

committees, hereinafter named, with power to report complete, to wit:

"An act to amend the acts relative to the city of Schenectady," Messrs. Ellwood, Hatch and Bishop.

"An act in regard to fire laws in New-York city," Messrs. Green, Dougherty and G. Clark.

"An act to authorise the common council of Oswego to levy a tax for building a fire proof county clerk's office," Messrs. Hatch, Pool and Farr.

"An act to enable Ends Collins to hold and convey real estate within this State," Messrs. Maurice, Underwood and Bradley.

"An act to incorporate the New-York State and National law school," Messrs. Leggett, Heath and E. T. Smith.

"An act to amend the act entitled, 'An act for the collection of taxes in the city of New-York,' Messrs. Wakeman, A. A. Thompson and H. Harris.

"An act in regard to lands in the city of Syracuse," Messrs. Stevens, Varnum and Le Roy.

"An act in regard to charter of firemen of New-York," Messrs. Greene, A. A. Thompson and Dewey.

"An act in relation to all companies transacting the business of life insurance within this State," Messrs. Underwood, O. Allen and Wright.

"An act to amend an act providing for the incorporation of telegraph companies," Messrs. Underwood, Wakeman and E. Perry.

"An act to authorise supervisor and justices of the peace of Newtown, Queens co., to designate two places in that town for confinement of prisoners," the delegation from Queens county.

"An act to enable Mary Louisa Powers and her trustee to sell and convey or to mortgage certain trust property," Messrs. Maurice, Snell and Townsend.

"An act in regard to draining of swamps," Messrs. Rumsey, Bowne and Dewey.

"An act to amend the charter of the Cayuga and Susquehanna railroad co., and to extend the powers of said company," Messrs. Ferris, Lake and Underwood.

"An act to authorise the board of supervisors of the several counties to make the district attorney a salaried office," Messrs. Severance, Corser and Barnes.

Mr. Burroughs moved to lay the order of business, being that of general orders on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend the act to incorporate the East river savings institution,"

Senate bill, "An act to amend section six, of title two, of the act

entitled, 'An act to condense and amend the several acts relating to the village of Skaneateles,' passed April 8, 1850."

"An act to revive and amend the several acts to incorporate and increase the capital and extend the powers of the Sodus canal company."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. A. A. Thompson, from said committee, reported that the committee had gone through the second mentioned bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Thompson, from said committee, reported progress on the first and last mentioned bills, and asked and obtained leave to sit again.

On motion of Mr. Higby, and by unanimous consent,
The bill entitled, "An act for the relief of the collectors of taxes in the towns of Bath, in the county of Steuben, Bethlehem, New Scotland and Guilderland, in the county of Albany, Scriba in the county of Oswego, and the city of Syracuse in the county of Onondaga," which was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 72 }
{ NOES 00 }

These who voted in the affirmative are,

H. J. Allen	Congdon	Higby	Minier	Stevens
O. Allen	Corser	Horton	Moss	Swords
Baker	Dennison	Ingersoll	Noble	Speaker
Barnes	Dougherty	Kinsley	Pardee	A. A. Thompson
Belknap	Douglass	Kellogg	Pool	O. C. Thompson
J. Benedict	Farr	Lake	Rockwell	Townsend
Bird	Ferris	Langdon	Rowe	Tuthill
Boltum	Fordyce	Lawyer	Ramsey	Underwood
Bradley	French	Le Roy	Ryan	Varnum
Brayton	Graham	Lesley	Severance	Wakeman
Burroughs	A. A. Gregory	Lewis	Sickles	Welden
Bushnell	W. S. Gregory	McLouth	A. Smith	Wheeler
Cady	Greene	Macomber	E. T. Smith	Whiteside
Carrington	H. Harris	Miles	Snell	Wright
J. F. Clark	Hatch			

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

Mr. Le Roy moved to lay the order of business, being the general orders, on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Le Roy, and it was determined in the affirmative.

Mr. Burroughs moved severally to lay the following orders of business on the table: the presentation of petitions, and reports of standing committees.

Mr. Speaker put the question whether the House would agree to

the said motion of Mr. Burroughs, and it was determined in the affirmative.

Mr. Townsend, from the select committee, to which was referred the bill entitled, "An act to amend the charter of St. Luke's hospital in the city of New-York," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to

Ordered, That said bill be engrossed for a third reading.

Mr. Underwood, from the select committee, to which was referred the bill entitled, "An act in relation to all companies transacting the business of insurance within this State," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Speaker announced the following select committee to report complete the bill entitled, "An act to authorise the Oxford and Hutternits turnpike company to abandon a part of their road," Messrs. Brayton, Stewart and Bottum.

On motion of Mr. Burroughs,

Resolved, That private claim bills be made the special order for Wednesday next immediately after the reading of the journal.

Mr. Burroughs offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That when this House adjourn it will adjourn until Monday next at 10 o'clock, A. M.

Mr. Higby moved to amend by substituting "to-morrow" for "Monday."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Higby, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 42 }
{ NOES 30 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Ferris	Ingersoll	Ryan	O. C. Thompson
Baker	French	Lawyer	Severance	Townsend
Barnes	Graham	Le Roy	Shultes	Tuthill
Bird	W. S. Gregory	Lesley	A. Smith	Underwood
Burroughs	Greene	Lewis	Snell	Wakeman
Cady	H. Harris	Macomber	Stevens	Welden
J. F. Clark	Hatch	Moss	Speaker	Wheeler
Dewey	Heath	Rockwell	A.A. Thompson	Wright
Farr	Horton			

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Those who voted in the negative are,

O. Allen	Congdon	Higby	Miles	W. F. Russell
Belknap	Corser	Kinsley	Minier	Sickles
J. Benedict	Detmold	Kellogg	Pardoe	E. T. Smith

Bradley	Douglass	Lake	Pol	Swords	
Brayton	Fordyce	Langdon	Rowe	Varnum	
Carrington	A. A. Gregory	McLouth	Rumsey	Whiteside	30

On motion of Mr. Wheeler,
The House then, at 15 minutes to 3 o'clock, adjourned.

MONDAY, MARCH 10, 1851.

The House met pursuant to adjournment, and was called to order by Joseph B. Varnum, Speaker pro tem.

Prayer by the Rev. Dr. Mandeville.

The minutes of Friday was read and approved.

Mr. Speaker announced the following select committee on the bill in relation to a reduction of fare on railroads: Messrs. Macomber, T. H. Benedict, Ferris, French and Pardee.

Mr. O. Allen presented the petition of citizens of Erie co., for an appropriation to Geneva college, which was read and referred to the committee on colleges, academies and common schools.

Mr. Wheeler presented the petition of sundry inhabitants of the county of Franklin, for aid in the construction of a plank road through wild lands belonging to this State, which was read and referred to the committee on roads and bridges.

Mr. McLouth presented the petition of Vienna and Clifton Springs plank road company for an extension of time to complete their road, which was read and referred to the committee on railroads.

Mr. O. Allen presented a petition for an amendment of the act entitled, "An act for the improvement of the Cayuga creek road in the county of Erie, which was read and referred to a select committee consisting of the Erie county delegation.

Mr. Burroughs presented the petition of the trustees of Holley, for an act to relieve said corporation, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Jayne presented the petition of 128 inhabitants of Yates co., for an alteration of the plank road law, which was read and referred to the committee on roads and bridges.

Mr. J. F. Clark presented a remonstrance against the division of the town of Skaneateles, which was read and referred to the committee on the division of towns and counties.

Mr. Underwood presented the petition of citizens of Owasco, Cayuga county for a law to annex part of the town of Skaneateles, Onondaga co., to the town of Owasco, Cayuga co., which was read and referred to the committee on the division of towns and counties.

Mr. Higby presented the remonstrance of 22 citizens of Orange, Steuben county, against making a half shire town in the county of Steuben, which was read and referred to the committee of the whole.

Mr. Sickles presented the petition of 131 citizens of Rockland co.,

for a law to prevent the New-York and Erie railroad from diverting the travel and trade into the State of New Jersey, contrary to the provisions of its charter, which was read and referred to the committee on railroads.

Mr. Fitzhugh presented the petition of the trustees of the Rochester collegiate institute, which was read and referred to the committee on colleges, academies and common schools.

Mr. Burroughs presented the petition of inhabitants of Waterford, Orleans county, for a repeal of the law exempting the property of clergymen from taxation, which was read and laid upon the table.

Mr. Jayne presented the petition of trustees of the Plainville Methodist Episcopal church, for an alteration of name, which was read and referred to the committee on charitable and religious societies.

Mr. Minier presented the petition of attorneys at law, for an appropriation to purchase a law library, to be located at some point on the New-York and Erie railroad, in the southern tier of counties, which was read and referred to the committee on ways and means.

Mr. Higby presented a remonstrance of 67 inhabitants of Steuben county, against a half shire in said county, which was read and referred to the committee of the whole.

Mr. Baker presented two petitions of inhabitants of Williamsburgh, against the license laws, Mr. Colvin of citizens of Cayuga co., Mr. Miles of citizens of Steuben co., Mr. Kellogg of citizens of Cortland co., Mr. Burroughs of citizens of Orleans co., Mr. Graham of citizens of Tompkins co., Mr. Ferris of citizens of Tompkins co., severally, presented petitions on the same subject, which were read and referred to the select committee.

Mr. Graham presented the petition of citizens of Tompkins co., Mr. Burroughs of citizens of Orleans co., Mr. Coffin of citizens of Otsego co., Mr. Sherman of citizens of Dutchess co., Mr. Colvin of citizens of Cayuga co., Mr. Minier of Abel Love and 87 others, Mr. Davis of citizens of Ulster co., Mr. Fisk of citizens of Genesee co., Mr. Burroughs of citizens of Orleans co., Mr. Welden of citizens of Essex co., for the repeal of the free school law and the re-enactment of the old law, which were read and referred to the committee of the whole when on that subject.

Mr. O. Allen, from the committee on canals, to which was referred the report of the Canal Board in relation to the claim of Mrs. Maria Miller for canal damages, reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of the legal representatives of Maria Miller," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Sherman, from the committee on claims, to which was referred the petition of Abijah Fitch and others for relief, reported in writing, and asked and obtained leave to bring in a bill entitled, "An act for the relief of Hotchkiss & Smith and their assignees," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(See Doc. No. 96.)

Mr. Backhouse, from the committee on grievances, to which was referred the petition of a number of grand jurors of Saratoga co., for relief for John Talmadge, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the board of supervisors of the county of Saratoga to relieve John Talmadge," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred the bill entitled, "An act to incorporate the Broadway savings bank in the city of New-York," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Macomber, from the select committee, to which was referred the bill entitled, "An act to incorporate the Thistle benevolent association of the city of New-York," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Wheeler, from the select committee, to which was referred the bill entitled, "An act declaring Chateaugay river a public highway and regulating the passage of logs and timber down the same," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Ferris, from the select committee, to which was referred the bill entitled, "An act to amend the charter of the Cayuga and Susquehanna railroad company and to extend the powers of said company," to report complete, reported that the committee had gone through said bill, and agreed to the same with amendments, which report was to.

Ordered, That said bill be engrossed for a third reading.

Mr. A. A. Thompson, from the select committee consisting of the New-York delegation, to which was referred the petition of mechanics and others of the city of New-York, asking for the passage of a lien law, reported, and asked and obtained leave to bring in a bill entitled, "An act for the better security of mechanics and others, erecting buildings and furnishing materials therefor, in the city and county of New-York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Underwood, from the select committee, to which was referred the bill entitled, "An act to amend an act entitled, 'An act to provide for the incorporation and regulation of telegraph companies,' passed April 12, 1848," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Ward, from the committee on charitable and religious societies, to which was referred the Senate bill entitled, "An act to amend an act entitled, 'An act to incorporate the American female guardian society,' passed April 6, 1849," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Lesley, from the committee on roads and bridges, to which was referred the Senate bill entitled, "An act to amend the act entitled, 'An act incorporating the Sackett's Harbor and Saratoga railroad co.," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Horton, from the minority of said committee, presented a report in writing on the same subject, and asked and obtained leave to bring in a bill entitled, "An act to amend the act entitled, 'An act incorporating the Sackett's Harbor and Saratoga railroad co.,' passed April 10, 1848," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Backhouse, from the select committee, to which was referred the bill entitled, "An act relative to the sheriff and clerk of the county of Kings," to report complete, reported that the committee had gone through said bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Backhouse, from the select committee, to which was referred the Senate bill entitled, "An act to alter the commissioners' map of the city of Brooklyn," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. O. Allen, from the select committee, to which was referred the petition of inhabitants of Buffalo, praying for an amendment of the lien law so far as applicable to the city of Buffalo, reported, and asked and obtained leave to bring in a bill entitled, "An act to amend the act entitled, 'An act for the better security of mechanics and others erecting buildings and furnishing materials therefor in the several cities in this State, except the city of New-York, and the villages of Syracuse, Williamsburgh, Geneva, Canandaigua, Oswego and Auburn,' passed May 7, 1844," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Wakeman, from the select committee, to which was referred the bill entitled, "An act to amend the act entitled, 'An act for the

collection of taxes in the city of New-York," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

The annual report of the trustees of the New-York dispensary was received and referred to the committee on ways and means.

The bill entitled, "An act declaring Chateaugay river a public highway and regulating the passage of logs and timber down the same," was read a third time.

Mr. Hewit moved to recommit the same.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Hewit, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 67 }
{ NOES 01 }

Those who voted in the affirmative are,

O. Allen	J. F. Clark	Graham	Lesley	Shultes
J. W. Babcock	Coffin	W. S. Gregory	Lewis	Sickles
Backhouse	Colvin	Greene	McLouth	A. Smith
Baker	Cooke	H. Harris	Macomber	E. T. Smith
Barnes	Corser	L. Harris	Maurice	Swords
Belknap	Dennison	Higby	Miles	Townsend
J. Benedict	Douglass	Horton	Pardee	Tuthill
Bird	Doyle	Jayne	E. Perry	Underwood
Bradley	Elderkin	Kallogg	Pool	Varnum
Burroughs	Ferris	Lake	Rockwell	Wakeman
Bushnell	Fisk	Langdon	Rowe	Welden
Cady	Fitzhugh	Lawyer	Rumsey	Wheeler
Campbell	Fordyce	Le Roy	Sherman	Whiteside
G. Clark	Gleason			

67

For the negative,

Hewit

1

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend the charter of St. Luke's hospital of the city of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 70 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Campbell	Fordyce	Lawyer	Sherman
O. Allen	Chamberlin	Gleason	Le Roy	Shultes
J. W. Babcock	G. Clark	Graham	Lesley	A. Smith
Backhouse	J. F. Clark	W. S. Gregory	Lewis	E. T. Smith
Baker	Coffin	Greene	McLouth	Swords

Barnes	Colvin	H. Harris	Macomber	Townsend
Belknap	Corser	Hatch	Maurice	Tuthill
J. Benedict	Dennison	Higby	Miles	Underwood
Bird	Douglass	Ingersoll	Minier	Varnum
Bottum	Doyle	Jayne	Pardoe	Wakeman
Bradley	Elderkin	Kinsley	Pool	Ward
Burroughs	Ferris	Kellogg	Rockwell	Wheeler
Bushnell	Fisk	Lake	Rowe	Whiteside
Cady	Fitzhugh	Langdon	Rumsey	Wright

70

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act in relation to all companies transacting the business of life insurance within this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 69 }
{ NOES 01 }

Those who voted in the affirmative are,

H. J. Allen	Bushnell	Fordyce	Le Roy	Shultes
O. Allen	Cady	Gleason	Lesley	Sickles
Atwood	Chamberlin	Graham	Lewis	A. Smith
J. W. Babcock	G. Clark	H. Harris	McLouth	E. T. Smith
Backhouse	Coffin	Hatch	Maurice	Townsend
Baker	Colvin	Higby	Miles	Tuthill
Barnes	Corser	Horton	Minier	Underwood
Belknap	Dennison	Ingersoll	Pardoe	Varnum
J. Benedict	Douglass	Jayne	E. Perry	Wakeman
T. H. Benedict	Doyle	Kinsley	Pool	Ward
Bird	Elderkin	Kellogg	Rockwell	Wheeler
Bottum	Ferris	Lake	Rowe	Whiteside
Bradley	Fisk	Langdon	Rumsey	Wright
Burroughs	Fitzhugh	Lawyer	Sherman	

69

For the negative,

Campbell	1
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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to provide for an additional justice of the peace in the town of Hector, in the county of Tompkins," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 68 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Campbell	Graham	Maurice	A. Smith
O. Allen	Chamberlin	Greene	Miles	E. T. Smith
Atwood	G. Clark	L. Harris	Minier	Swords
J. W. Babcock	J. F. Clark	Hatch	Pardee	Townsend
Backhouse	Colvin	Higby	E. Perry	Tuthill
Baker	Corser	Ingersoll	Pool	Underwood
Barnes	Dennison	Jayne	Rockwell	Varnum
Belknap	Douglass	Kinsley	Rowe	Wakeman
J. Benedict	Doyle	Kellogg	Rumsey	Ward
T. H. Benedict	Ferris	Lake	W. Russell	Welden
Bird	Fisk	Langdon	Sherman	Wheeler
Bradley	Fitzhugh	Lawyer	Shultes	Whiteside
Bushnell	Fordyce	Lewis	Sickles	Wright
Cady	Gleason	McLouth		

69

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The Senate bill entitled, "An act relative to the election of directors of the Union bridge co.," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 69 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Bushnell	Fordyce	Le Roy	Sickles
O. Allen	Cady	Gleason	Lesley	A. Smith
Atwood	Campbell	Graham	Lewis	E. T. Smith
J. W. Babcock	Chamberlin	W. S. Gregory	McLouth	Swords
Backhouse	G. Clark	H. Harris	Macomber	Townsend
Baker	J. F. Clark	L. Harris	Miles	Tuthill
Barnes	Coffin	Hatch	Pardee	Underwood
Belknap	Colvin	Higby	E. Perry	Varnum
J. Benedict	Corser	Ingersoll	Pool	Wakeman
T. H. Benedict	Douglass	Jayne	Rockwell	Ward
Bird	Doyle	Kellogg	Rowe	Welden
Bottum	Elderkin	Lake	Rumsey	Whiteside
Bradley	Ferris	Langdon	Sherman	Wright
Barron	Fisk	Lawyer	Shultes	

69

Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have concurred in the same without amendment.

The Senate bill entitled, "An act to authorize the Utica steam woolen mills company to increase its capital stock," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 70 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Cady	Gleason	Le Roy	Shultes
Atwood	Campbell	Graham	Lesley	A. Smith
J. W. Babcock	Chamberlin	W. S. Gregory	Lewis	E. T. Smith
Backhouse	G. Clark	H. Harris	McLouth	Swords
Baker	J. F. Clark	L. Harris	Macomber	Townsend
Barnes	Coffin	Hatch	Maurice	Tuthill
Belknap	Colvin	Hewit	Miles	Underwood
J. Benedict	Douglass	Higby	Pardee	Varnum
T. H. Benedict	Doyle	Horton	E. Perry	Wakeman
Bird	Elderkin	Jayne	Pool	Ward
Bottom	Ferris	Kellogg	Rockwell	Welden
Bradley	Fisk	Lake	Rowe	Wheeler
Burrongs	Fitzhugh	Langdon	Rumsey	Whit-side
Bushnell	Fordyce	Lawyer	Sherman	Wright

70

Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have concurred in the same without amendment.

The hour of 12 o'clock having arrived, Mr. Speaker announced the special order, the bill entitled, "An act to amend chapter thirteen of the Revised Statutes, entitled, 'Of the assessment and collection of taxes'"

Mr. Wheeler moved that the special order be postponed for ten minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wheeler, and it was determined in the affirmative.

The Senate bill entitled, "An act to authorise the Utica globe mills to increase its capital stock," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 68 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Chamberlin	Graham	Lewis	A. Smith
Atwood	G. Clark	W. S. Gregory	McLouth	E. T. Smith
J. W. Babcock	J. F. Clark	H. Harris	Macomber	Swords
Backhouse	Coffin	Hatch	Miles	Townsend
Baker	Colvin	Higby	Pardee	Tuthill
Barnes	Corser	Horton	E. Perry	Underwood
Belknap	Douglass	Ingersoll	Pool	Varnum
J. Benedict	Doyle	Kinsley	Rockwell	Wakeman
T. H. Benedict	Elderkin	Kellogg	Rowe	Ward
Bird	Ferris	Lake	Rumsey	Welden
Bottom	Fisk	Langdon	Sherman	Wheeler
Bradley	Fitzhugh	Lawyer	Shultes	Whit-side
Bushnell	Fordyce	Le Roy	Sickles	Wright
Cady	Gleason	Lesley		

68

Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have concurred in the same without amendment.

By unanimous consent,

Mr. Elderkin presented the petition of 25 citizens of Potsdam, St. Lawrence co., asking that the school law be amended so as to make venders of intoxicating drinks liable for the schooling and clothing of the children of all persons who use such drinks, which was read and referred to the committee of the whole when on that subject.

Also, the petition of Dean S. Howard, for the passage of an act to enable the canal commissioners to complete contracts with him, which was read and referred to the committee on canals.

By unanimous consent,

Mr. Burroughs asked for and obtained leave to bring in a bill entitled, "An act in relation to the village of Holley," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Burroughs moved to suspend the special order for 15 minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs and it was determined in the affirmative.

Mr. Wheeler moved to lay the order of business being that of the third reading of bills on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wheeler, and it was determined in the affirmative.

Mr. Wheeler offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the Senate bill entitled, "An act to amend the act entitled, 'An act incorporating the Sacketts Harbor and Saratoga railroad company,' passed April 10, 1848," be excepted from the operation of the rule of this House referring all bills making no appropriations to a select committee of nine.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

By unanimous consent,

Mr. Hatch, from the select committee, to which was referred the bill entitled, "An act to authorise the city of Oswego to borrow money," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. O. Allen asked and obtained leave to bring in a bill entitled, "An act to incorporate the Westminster college to be located in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

On motion of Mr. H. Harris,

Resolved, That bills No's. 279 and 295 on the general orders be referred to the same committee of the whole that will have in charge bill No. 268 on the general orders.

On motion of Mr. Miles,

Resolved, That bill No. 129 on the general orders be referred to the committee of the whole having in charge No. 73 on the general orders.

On motion of Mr. Wakeman,

Resolved, That Assembly bill No. 313 in relation to the society of juvenile delinquents in the city of New-York, Assembly bill No. 92, and the bill for the relief of Hotchkiss and Smith, be made the special order for Thursday next at 12 o'clock m.

On motion of Mr. Wheeler,

Resolved, That the engineer of the Sackett's Harbor and Saratoga railroad company be respectfully requested to furnish to this House as early as practicable, copies of all reports made by him relative to said road.

Mr. Lesley gave notice that he would, at an early day, ask leave to introduce a bill to amend the act entitled, "An act to authorise the appointment of commissioners to take acknowledgments of deeds and other instruments in other States and Territories, passed April 10, 1850."

Mr. Wheeler gave notice that he would, on some future day, move to suspend the 57th rule of this House, requiring all joint resolutions to lie over one day.

Mr. Burroughs offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That twice the usual number of the report of the select committee appointed to investigate frauds and improper practices of the canal commissioners and other persons, be printed for the use of the House, and that 500 additional copies be printed for the use of the committee.

Ordered, That the said resolution be referred to the committee on printing.

Mr. Cady gave notice that he would, at an early day, introduce a bill in relation to the sale of real estate by sheriffs and other officers, and in relation to actions against sheriffs and other officers.

Mr. Underwood moved that the resolutions heretofore offered by him in relation to the compromise measures of congress be printed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Underwood, and it was determined in the affirmative.

A message from the Senate was received and read, informing that they had concurred in the amendment of the Assembly to the bill entitled, "An act relative to the election of directors of the Union bridge company."

By unanimous consent,

Mr. Le Roy asked and obtained leave to bring in a bill entitled, "An act to amend the act entitled, 'An act to authorise the abatement of a nuisance on lands owned by the people of the State of New-York, and other lands in the city of Syracuse,' passed January 25, 1849," which was read the first time, and by unanimous consent was

also read the second time, and referred to the select committee consisting of the Onondaga co. delegation.

By unanimous consent, Mr. Hatch asked for and obtained leave to bring in a bill entitled, "An act in relation to the Oswego co. agricultural society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Speaker then announced the special order.

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act to amend chapter thirteen of the Revised Statutes, entitled, 'Of the assessment and collection of taxes.'"

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Elderkin, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Wakeman moved that the bill be made the special order for to-morrow at 12 o'clock.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wakeman, and it was determined in the affirmative.

On motion, leave of absence was granted to Messrs. French and Hinds for one week each, Mr. Moss three days.

By unanimous consent,

Mr. Gleason asked and obtained leave to bring in a bill entitled, "An act for the relief of the Middletown and Delhi turnpike co.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent.

Mr. Hatch, from the select committee, to which was referred the bill entitled, "An act to authorise the common council of the city of Oswego to levy a tax for building a fire proof county clerk's office in the said city," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Hatch, from the select committee, to which was referred the bill entitled, "An act to amend the acts relative to the city of Schenectady," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was to.

Ordered, That said bill be engrossed for a third reading.

Resolved, That Assembly bill number 244 as printed, and Senate bill No. 13, be taken from the committee and made the special order for Friday next at 12 o'clock.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

Mr. J. Benedict gave notice that he would, at an early day, ask

leave to introduce a bill repealing all laws regulating the publishing of the reports of the decisions of the court of appeals.

On motion of Mr. Macomber,

Resolved, That Senate bill No. 13 be referred to the same committee of the whole having in charge the act to amend chapter thirteen of the Revised Statutes, entitled, "Of the assessment and collection of taxes."

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to establish and organize a bank department."

"An act to aid the University of Rochester."

And after some time spent thereon, Mr. Speaker resumed the chair, and announced that the hour of a quarter before two o'clock having arrived, the House would take a recess till four o'clock, P. M.

FOUR O'CLOCK P. M.

The House again met.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to establish free schools throughout the State."

"An act to authorise railroad corporations of this State to subscribe to the capital stock of the Great Western railroad; Canada West."

"An act to legalize the acts of several school districts of this State providing for the support of common schools."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Heath, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

Mr. Wheeler offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, (If the Senate concur,) That on Tuesday, the 18th day of March, 1851, at twelve o'clock, noon, the Legislature will proceed to elect a Regent of the University, to fill the vacancy occasioned by the death of the late Peter Wendell, M. D. ; such election to be conducted in the same manner as is required by law in the election of a United States Senator.

Ordered, That said resolution be laid upon the table.

On motion of Mr Burroughs,

The House then, at seven o'clock, adjourned.

TUESDAY, MARCH 11, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Kip.

The minutes of yesterday were read and approved.

Mr. Douglass presented the petition of trustees and others of the village of Dunkirk, for leave to raise by tax five thousand dollars for the improvement of streets, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Hewit presented the petition of inhabitants of Clinton co., for aid from the State to construct a plank road from Clinton prison to Malone, in Franklin co., which was read and referred to the committee on roads and bridges.

Mr. Wooster presented the petition of the president and trustees and citizens of the village of Herkimer, for an amendment to their charter, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Rowe presented the petition of citizens of Pembroke, Genesee co., that the death penalty may be abolished, which was read and referred to a select committee.

Mr. Greene presented the petition of sundry citizens of New York, for an amendment of the laws relating to dealers in second hand articles and junk shops, which was read and referred to a select committee consisting of the N. Y. delegation.

Mr. Pardee presented the memorial of citizens of Ontario co., for the passage of the freeman's law, which was read and referred to the committee on the judiciary.

Mr. Brayton presented the petition of 49 citizens of Rome, Oneida co., for Webster's Dictionary in each school district in the State, which was read and referred to the committee on colleges, academies and common schools.

Mr. Hatch presented four several petitions of sundry inhabitants of Oswego co., for an act to legalize the proceedings of a meeting of the Oswego co. agricultural society, held at New Haven, which were read and referred to the committee on agriculture.

Mr. Hatch presented the petition of inhabitants of Oswego co., for the passage of an act to prevent fishing with seines or nets in Oneida lake, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Maurice presented two petitions of inhabitants of school district No. 3, in the town of Newtown, for the passage of the proposed amendment of the act to establish a free school in that district, which were read and referred to the committee on colleges, academies and common schools.

Mr. Stevens presented the petition of E. W. Leavenworth and other inhabitants of Onondaga co., for a suitable appropriation for

orphan asylums in this State, which was read and referred to the committee on ways and means.

Mr. Brayton presented the petition of John Swan and others of Westernville, Oneida co., for the incorporation of the Westernville water works company, which was read and referred to a select committee consisting of the Oneida co. delegation.

Mr. Tutbill presented the petition of inhabitants of Suffolk co., for land limitation and homestead exemption, which was read and referred to the committee on public lands.

Mr. Lesley presented the remonstrance of inhabitants of Warren co., against the bill for constructing a road from Johnsburgh, in Warren co., to Wells, in Hamilton co., which was read and referred to the committee on roads and bridges.

Mr. Coffin presented the petition of 110 citizens of Richfield, Otsego co., for the passage of the freeman's law, which was read and referred to the committee on the judiciary.

Mr. Wright presented the resolutions passed at a general town meeting of the voters of the town of Butternuts, and three several petitions against any part of their town being annexed to the town of New Berlin, which were read and referred to the committee on the division of towns and counties.

Mr. Fitzhugh presented the petition of Jno. W. Whitney, for relief for damages caused by the dam at the outlet of Seneca lake, which was read and referred to the committee on claims.

Mr. Fitzhugh presented the petition of certain inhabitants of the county of Monroe, for an appropriation to Geneva college, which was read and referred to the committee on colleges, academies and common schools.

Mr. Miles presented the resolutions passed at the annual town meeting, in the town of Addison, Steuben co., asking that Addison be made a half shire town in said co., which were read and referred to the committee of the whole when on that subject.

Mr. Wheeler presented the petition of sundry inhabitants of Franklin co., for aid in the construction of a plank road through wild lands, belonging to this State, which was read and referred to the committee on roads and bridges.

Mr. Fitzhugh presented the petition of sundry inhabitants of Monroe co., for an act to regulate certain proceedings in criminal cases in said county, which was read and referred to the committee on the judiciary.

Mr. Fitzhugh presented the petition of the Rochester orphan asylum and the Roman Catholic orphan asylum of Rochester, for a continuation of appropriation, which was read and referred to the committee on colleges, academies and common schools.

Mr. Greene presented the petition of sundry inhabitants of New-York, to prevent the diversion of the business of the New-York and Erie railroad through New Jersey, which was read and referred to the committee on railroads.

Mr. E. Perry presented the petition of inhabitants of the city and

county of Albany, in relation to the Watervliet turnpike company, which was read and referred to the Albany county delegation.

Mr. Douglass presented two petitions of the supervisors, and many others, inhabitants of Chautauque co., for a law to raise \$300 by tax in that co., and the same in Cattaraugus co., to build a road and bridge from Cherry creek to Leon, which was read and referred to the committee on roads and bridges.

Mr. H. Harris presented the petition of 200 citizens of Albany, for aid in behalf of Troy hospital, which was read and referred to the committee on charitable and religious societies.

Mr. Varnum presented an invitation from the people's steamboat association, which was read and laid upon the table.

Mr. Underwood presented the petition of Daniel Lee for the establishment of an agricultural college and experimental farm, which was read and referred to the committee on agriculture.

Mr. Higby presented the remonstrance of 57 citizens of the town of Orange, Steuben co., against the bill making a half shire in the county of Steuben, which was read and referred to the committee of the whole on that subject.

Mr. Wooster presented the petition of 240 citizens of Herkimer co., Mr. Higby of 148 ladies of Steuben co., Mr. Graham of sundry inhabitants of Tompkins co., Mr. Higby of 118 citizens of Steuben co., Mr. Wheeler of sundry inhabitants of Franklin co., Mr. Leggett of sundry inhabitants of Saratoga co., Mr. Fisk of 59 inhabitants of Genesee co., Mr. Rouse of 67 inhabitants of Oneida co., Mr. Stevens of 133 inhabitants of Onondaga co., for the suppression or regulation of the liquor traffic, which were read and referred to the select committee on that subject.

Mr. A. Smith presented the petition of Samuel Brown and 66 inhabitants of Chautauque co., Mr. Southwick of 20 citizens of Seneca co., Mr. Tuthill of citizens of Suffolk co., Mr. Wooster of 48 citizens of Herkimer co., Mr. Hewitt of citizens of New Sweden, Mr. Campbell of sundry inhabitants of Otsego co., Mr. Ingersoll of citizens of Chenango co., Mr. Shall of 92 citizens of Herkimer co., Mr. Fisk of 62 citizens of Genesee co., Mr. Lake of 19 citizens of Livingston co., Mr. Davis of citizens of Ulster co., Mr. Russell of citizens of Ulster and Greene co's, Mr. Cooke of citizens of Greene co., for the modification or repeal of the free school law, which were read and referred to the committee of the whole.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled, as follows, to wit:

"An act to amend the act in relation to the city of Schenectady.

"An act to amend an act entitled, 'An act for the collection of taxes in the city of New-York,' passed April 18, 1843."

"An act in relation to the sheriff and clerk in the county of Kings."

"An act to authorise the city of Oswego to borrow money."

"An act to amend an act entitled, 'An act to provide for the incorporation and regulation of telegraph companies,' passed April 12, 1848."

"An act to authorise the common council of the city of Oswego to raise money by tax to build a fire proof county clerk's office.

"An act to incorporate the Thistle benevolent association of the city of New-York."

• "An act to amend the charter of the Cayuga and Susquehanna railroad company, and to extend the powers thereof."

• *Ordered*, That said bills be read the third time.

Mr. Wheeler from the committee on ways and means, to which was referred the memorial of Schmidt and Balchen and 24 others, shipping merchants of the port of New-York. praying for the refunding certain monies paid by them into the treasury under protest, reported in writing, and asked and obtained leave to bring in a bill entitled, "An act to authorise the comptroller to return to the proper persons certain monies paid under protest to the health commissioner of the city of New-York, on account of certain ships and vessels," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Graham, from the committee on canals, to which was referred the petition of Solomon Parmelee and others, asking for the passage of a law indemnifying them for damages done their lands by constructing the enlarged canal through the village of Geddes, reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of Solomon Parmelee and others," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

• Mr. Sherman, from the committee on claims, to which was referred the petition of Albert and Franklin J. Patten for relief, reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of Albert Patten and Franklin J. Patten," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

• Mr. A. Smith, from the committee on the judiciary, to which was referred the petition of Abjah Smith and others, for the passage of a law providing for the appointment of a commissioner to investigate the charges against the officers of Sing Sing prison, in relation to the destruction of property of Hotchkiss and Smith by fire at said prison, reported, and asked and obtained leave to bring in a bill entitled, "An act providing for the appointment of commissioners to investigate the claim of Hotchkiss and Smith, against the agent of the Sing Sing prison and to arbitrate and settle all matters between said agent of one part and said Hotchkiss and Smith, and their assigns of the other," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was recommitted the bill entitled, "An act for laying and constructing a road from Johnsburgh to Sacandaga river, Warren co.," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the petition of sundry inhabitants living contiguous to the Penn Yan branch plank road co., for an act to liberate them from one-half of their road tax, reported the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Lesley, from the committee on roads and bridges, to which was referred the petition of inhabitants of Richmond co., for the passage of an act to authorise the construction of a draw bridge across the Fresh Kills, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the construction of a draw bridge across the Fresh Kills, in Richmond co.," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act in relation to the village of Holley," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of Isabella Chisholm, of Kortright, Delaware co., for an act to confirm her title to certain real estate of which her late husband died seized, reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of Isabella Chisholm," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was recommitted the bill entitled, "An act in relation to the attendance of grand jurors," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of the officers and members of Morning Star lodge, No. 128, of I. O. of O. F., at Chatham Four Corners, for a law authorising said trustees to hold and convey real estate, reported the following resolution :

Resolved, That the committee be discharged from the further consideration of the petition, and that it be referred to the committee on charitable and religious societies.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. T. H. Benedict, from the committee on colleges, academies

and common schools, to which was referred the memorial of the medical Department of the University of the city of New-York, for the balance of an appropriation and for other relief, reported the following resolution :

Resolved, That the committee be discharged from the further consideration of the memorial, and that it be referred to the committee on medical societies and colleges.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the bill entitled, "An act authorising the appropriation of the library money in certain cases to the payment of teachers' wages by a vote of the district meeting," reported that the committee had examined said bill, and had come to the conclusion that the same ought not to be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the petition of the Wesleyan seminary of the town of Gouverneur for relief, reported the following resolution :

Resolved, That the committee be discharged from the further consideration of the petition.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the petition of Gouverneur Wesleyan seminary, for the more equal distribution of the income of the Literature Fund, reported the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the resolution, and it was determined in the affirmative.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the petition of the board of supervisors of the county of Chenango, asking that the amount appropriated by the act of 1847 for the establishment of teachers' institutes be increased from \$60 to \$100, reported the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the petition of the White Plains academy, for leave to sell and dispose of their academy and lot of ground, reported, and asked and obtained leave to bring in a bill entitled, "An act authorising the trustees of the White Plains academy to sell and dispose of their academy and the lot of ground connected therewith on which the same is situated," which was read

the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. F. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the petition in relation to the Rochester collegiate institute, reported, and asked and obtained leave to bring in a bill entitled, "An act in relation to the Rochester collegiate institute," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the bill entitled, "An act to incorporate the University of Albany," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. O. Allen, from the committee on canals, to which was referred the petition of Horace Dodge, of Jordan, for canal damages, reported the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Le Roy moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Le Roy, and it was determined in the affirmative.

Mr. Varnum, from the committee on railroads, to which was referred the bill entitled, "An act to abolish tolls on freight transported upon any railroads in this State," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

A communication was received from the comptroller in answer to a resolution of this House, passed the 27th ult. in relation to the lands owned by the State, in the counties of Herkimer and Hamilton.

Ordered, That the said communication be laid upon the table.

Mr. Varnum, from the committee on railroads, to which was referred the petition of sundry inhabitants of the city of New-York, for the passage of a law authorising them to build a railroad in the city of New-York through the sixth avenue, reported the following resolution:

Resolved, That the committee be discharged from the further consideration of the petition.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Baker, from the select committee, to which was referred the bill entitled, "An act to incorporate the city of Williamsburgh," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment.

Pending debate on the adoption of the report of the committee, the hour of twelve having arrived, Mr. Speaker announced the special order of the day.

Mr. Wakeman moved that the special order be postponed for 15 minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wakeman, and it was determined in the affirmative.

Mr. Maurice offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the bill be recommitted to the select committee, with instructions to report the bill heretofore introduced by him.

Mr. Macomber offered the following amendment:

Resolved, That the act to incorporate the city of Williamsburgh be recommitted to the select committee having charge thereof, with instructions to report to this House the two bills referred to them, to incorporate the city of Williamsburgh with a law providing that both charters be submitted to the people of Williamsburgh at the same election, and that a majority of votes in favor of either of them shall be required to enable the same to take effect as a law.

Pending debate on the amendment, Mr. Speaker announced the special order.

Mr. Cady moved the special order be postponed for 15 minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Cady, and it was determined in the affirmative.

At the expiration of 15 minutes, Mr. Speaker again announced the special order.

Mr. Cady moved to postpone the same for 15 minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Cady, and it was determined in the affirmative.

Mr. Underwood moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the negative.

Mr. Maurice offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the report of the select committee be referred to the committee of the whole.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said amendment of Mr. Macomber, and it was determined in the affirmative.

{ AYES 32 }
{ NOES 56 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Dennison	Kinsley	W. Russell	Southwick
R. Babcock	Doyle	Lawyer	W. F. Russell	Stilwell
Barnes	Elderkin	Le Roy	Ryan	A. A. Thompson
Bowne	W. S. Gregory	Macomber	Shall	O. C. Thompson
Bushnell	Hatch	Maurice	Sickles	Wooster
J. F. Clark	Horton	Rider	E. T. Smith	Wright
Davis	Jayne			

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Those who voted in the negative are,

Atwood	Cady	Ferris	Langdon	A. Smith
J. W. Babcock	Campbell	Fisk	Leggett	Speaker
Backhouse	Carrington	Fitzhugh	Lealey	Townsend
Baker	Chamberlin	Fordyce	McLouth	Tuthill
Bolnap	G. Clark	Graham	Pardee	Underwood
J. Benedict	Coffin	H. Harris	E. Perry	Varnum
Bird	Colvin	L. Harris	Pool	Wakeman
Bishop	Cooke	Heath	Rowe	Ward
Botum	Corser	Ingersoll	Rumsey	Welden
Bradley	Dewey	Kellogg	Sherman	Wheeler
Brayton	Farr	Lake	Shultes	Whiteside
Briggs				

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Mr. Underwood moved that the special order be postponed for five minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Underwood, and it was determined in the affirmative.

The question recurring on the amendment of Mr. Maurice,

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Maurice, and it was determined in the negative.

Mr. Wakeman moved that the whole subject be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wakeman, and it was determined in the affirmative.

Mr. Underwood from the select committee of nine, reported the following bills as proper to be referred to select committees, to report complete, to wit :

"An act to change the name of the town of Benton."

"An act in relation to the powers of the late court of chancery and supreme court in equity in certain cases."

"An act in relation to the village of Holley."

"An act to incorporate the Manhattan steam ship company."

"An act to amend chapter 350 of the Laws of 1850, entitled, 'An act to amend an act entitled, 'An act to provide for the incorporation of villages,' passed Dec. 7, 1847,' so far as relates to the village of Baldwinsville, in the county of Onondaga."

"An act to amend an act entitled, 'An act in relation to justices' and police courts in the city of New-York,' passed March 30 1848."

"An act to authorise the Chautauque plank road company to borrow money."

"An act to amend the charter of the city of Troy, and to provide for the establishment of free schools in said city, passed April 4, 1849."

"An act to amend the act to incorporate the East River savings institution, passed April 11, 1848."

"An act to amend an act entitled, 'An act relating to sales by auction in the city of Albany,' passed March 16, 1850."

"An act authorising the Canal Appraisers to ascertain and award damages in certain cases."

"An act to amend art. first, title third, chap. seventh, part third, of the Revised Statutes, entitled, 'Of taking conditionally the testimony of witnesses within this State.'"

"An act to amend an act entitled, 'An act to authorise the business of banking,' passed May 26, 1841."

"An act to amend an act entitled, 'An act to incorporate the New-York and Montgomery mining co'."

"An act to incorporate the Mexican and inland steam co."

"An act to incorporate the ladies' union aid society of the Methodist Episcopal church of the city of New-York."

"An act to preserve the purity of certain streams used to supply the city of Albany with water."

"An act to confirm the title of the East river insurance company to certain real estate in the city of New-York, and to amend the charter thereof."

"An act to amend and extend an act entitled, 'An act to incorporate the firemen of the city of Utica,' passed April 26, 1833."

Senate bill, "An act to release the interest of the State in certain lands, of which John Jackson died possessed, to Jemima Jackson his wife."

"An act to provide for the incorporation of mutual loan and building associations."

"An act to provide for the incorporation of building societies."

"An act to authorise the formation of corporations for building purposes."

"An act for the incorporation of building and accumulating associations."

"An act to remove certain papers relating to the city of New-York, from the office of the clerk of the court of appeals, to the office of the clerk of the supreme court, of the city and county of New-York."

"An act respecting the time of payment of drafts or bills of exchange drawn or made payable at sight."

"An act to incorporate the asylum for friendless boys in the city of New-York"

"An act to regulate the rates of wharfage on lighters in the cities of New-York and Brooklyn"

"An act to amend an act to incorporate the village of Canton, passed May 13, 1845."

"An act authorising certain railroad companies in this State to change the time for the election of directors."

"An act to amend an act to exempt for sale on execution, the homestead of a householder having a family, passed April 10, 1850."

"An act to prohibit the sale of firewood in the city of New-York, by unlicensed persons."

"An act to authorise the Buffalo gas light company to sell certain lands."

"An act to grant the right to George Truscott to hold and convey real estate."

"An act declaratory of the act to authorise the recording of wills of real estate, and of exemplifications of judgment records and decrees in partition suits, and for other purposes, passed May 11, 1846."

Mr. Pardee moved that the question on report of the committee on the bill entitled, "An act to amend the act to exempt from sale on execution the homestead of a householder having a family, passed April 10, 1850," be taken separately.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Pardee, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the report of the said committee, and it was determined in the affirmative.

Mr. Pardee moved that the report of the committee on bill above mentioned be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Pardee, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the report of the committee on said bill, and it was determined in the affirmative.

Mr. Speaker announced the special order.

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act to amend chapter thirteen of the Revised Statutes, entitled, 'Of the assessment and collection of taxes.'"

And after some time spent thereon, Mr. Speaker resumed the chair, and announced that the hour of a quarter before two o'clock having arrived, the House would take a recess till four o'clock, P. M.

FOUR O'CLOCK P. M.

The House again met.

Mr. Speaker announced the special order to be the bill entitled, "An act to repeal chapter thirteen of the Revised Statutes, entitled, 'Of the assessment and collection of taxes.'"

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Elderkin, from said committee, reported progress on said bill, and asked leave to sit again.

Mr. Underwood moved to lay the report of the committee on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Underwood, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to grant leave to sit again, and it was determined in the affirmative.

By unanimous consent,

Mr. J. Benedict asked and obtained leave to bring in a bill entitled, "An act to repeal the several acts to provide for the publication of the reports of the court of appeals," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. H. Harris asked and obtained leave to bring in a bill entitled, "An act for the relief of Jonathan Ogle, of the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Maurice, from the select committee, to which was referred the bill entitled, "An act to authorise the supervisor and justices of the peace of the town of Newtown, Queens co., to designate two places in that town to be used for the confinement of prisoners," to report complete, reported that the committee had gone through said bill, and agreed to be same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Maurice, from the select committee, to which was referred the bill entitled, "An act to enable Enos Collins to take, hold and convey real estate within this State," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Maurice, from the select committee, to which was referred the bill entitled, "An act to enable Mary Louisa Powers and her trustee to sell and convey or to mortgage certain trust property," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Leggett, from the select committee, to which was referred the Senate bill entitled, "An act to incorporate the New-York State and National law school," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Stevens, from the select committee, to which was referred the bill entitled, "An act to authorise the Commissioners of the Land Office to sell certain lands belonging to the people of this State, situated in the city of Syracuse, and purchase other lands," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. W. S. Gregory, from the select committee consisting of the N. Y. and Westchester co. delegations, to which was referred the bill entitled, "An act to regulate the planting and taking of oysters and other shell fish in the Harlem river, and the creeks of Westchester co.," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Stevens, from the select committee consisting of the Onondaga co. delegation, to which was referred the bill entitled, "An act to amend the act entitled, 'An act to authorise the abatement of a nuisance on lands owned by the people of the State of New-York, and other lands in the city of Syracuse,' passed Jan. 25, 1849," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Rumsey, from the select committee, to which was referred the bill entitled, "An act to amend title sixteen, chap. eight, part third, of the Revised Statutes, entitled, 'Of proceedings for the draining of swamps, marshes and other low lands,'" to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Varnum asked and obtained leave to bring in a bill entitled, "An act in relation to the Sackett's Harbor and Ellisburgh railroad company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Uhderwood, from the select committee of nine, reported the following bill as proper to be referred to a select committee to report complete, to wit:

"An act to amend the act entitled, 'An act to incorporate the Syracuse city water works co.,' passed April 5, 1850."

A message from the Governor was received and read, informing that he had approved and signed the bills entitled as follows:

"An act in relation to the Penitentiary of Onondaga county."

"An act to amend an act entitled, 'An act to incorporate the Saugerties and Woodstock turnpike road company, passed April 21, 1828,' and to authorise said company to abandon a portion of their road."

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to authorise the village of Canastota to be a separate road district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Briggs moved that this order of business being that of third reading of bills, be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Briggs, and it was determined in the affirmative.

Mr. Speaker announced that there were now more than ten bills ready for a third reading.

Mr. Burroughs moved that Friday next immediately after the reading of the journal, be set apart for the reading of said bills.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs and it was determined in the affirmative.

Mr. Kellogg gave notice that he would, at an early day, ask leave to introduce a bill, making an appropriation to the New-York central college.

Mr. Leggett gave notice that he would, at some future time, move to suspend the fourth rule of this House.

On motion of Mr. H. J. Allen,

Resolved, That Assembly bill No. 61 be referred to the same committee of the whole that has in charge the Assembly bill No. 261.

On motion of Mr. Varnum,

Resolved, That Assembly bill No. 108 on general orders, to facilitate the construction of the Lewiston railroad be taken from the committee of the whole and recommitted to the railroad committee, to retain its place on the general orders.

Mr. Underwood offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That this house will hereafter meet at 10 o'clock a. m. until otherwise ordered.

Ordered, That said resolution be laid upon the table.

Mr. Underwood gave notice that he would, at some future day, move to suspend rules 37, 39, 40.

Mr. J. Benedict offered for the consideration of the House, a resolution, in the words following, to wit :

Resolved, That when this House adjourns it will adjourn until 10 o'clock to-morrow morning.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. L. Harris offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That Assembly bill 203 being an act to amend the militia laws and in addition thereto, be recommitted to the standing committee on militia and public defence, and retain its original place on the general orders, No. 143.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

In pursuance of previous notice, Mr. Le Roy asked for and obtained leave to bring in a bill entitled, "An act to amend an act entitled, 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,' passed April 12, 1848," which was read

the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

On motion of Mr. Burroughs,

Resolved, That the bill for the relief of Grant, Turner and Ryan, be referred to the same committee of the whole having charge of bill No. 82.

On motion of Mr. Briggs,

Resolved, That the Assembly bill No. 249, entitled, "An act authorising the wardens and vestry of Saint Paul's church, East Chester to enclose the green in front of said church.

On motion of Mr. Minier,

Resolved, That the committee of ways and means (to whom the petitions for a law library for the southern tier of counties was referred) be discharged from further consideration thereon, and that said petitions be referred to a select committee composed of the members from the counties of Allegany, Steuben, Tompkins, Tioga and Chemung.

On motion of Mr. Underwood,

Resolved, That the Assembly bill No. 101 be made the special order for Thursday evening next at seven o'clock, and that this House will hold an evening session for the purpose of considering said bill.

The House then resolved itself into a committee of the whole, on the bill entitled, as follows, to wit:

"An act to amend the charter of the village of Dundee."

And after some time spent thereon, Mr. Speaker resumed the chair and Mr. Coffin, from said committee, reported that the committee had gone through said bill, and agreed to the same without amendment which report was agreed to.

On motion of Mr. Burroughs,

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to establish free schools throughout the State."

"An act to legalize the acts of several school districts of this State providing for the support of common schools."

"An act to authorise railroad corporations of this State to subscribe to the capital stock of the Great Western railroad, Canada West."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Heath, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

Mr. Speaker announced the following bills as referred to select committees, hereinafter named, with power to report complete, to wit:

"An act to amend an act to incorporate the village of Canton, passed May 13, 1845," Messrs. Elderkin, Horton and Stilwell.

"An act authorising certain railroad companies in this State to change the time for the election of directors," Messrs. Wheeler, Hewit and Welden.

"An act to amend an act to exempt for sale on execution, the

homestead of a householder having a family, passed April 10, 1850," Messrs. Underwood, Maurice and Stevens.

"An act to prohibit the sale of firewood in the city of New-York, by unlicensed persons," Messrs. Dewey, G. Clark and Wright.

"An act to remove certain papers relating to the city of New-York, from the office of the clerk of the court of appeals to the office of the clerk of the supreme court of the city and county of New-York," Messrs. Varnum, A. A. Thompson and Swords.

"An act respecting the time of payment of drafts or bills of exchange, drawn or made payable at sight," Messrs. Cady, Greene and Bird.

"An act to incorporate the asylum for friendless boys in the city of New-York," Messrs. W. S. Gregory, Dewey, and G. Clark.

"An act to regulate the rates of wharfage on lighters in the cities of New-York and Brooklyn," Messrs. H. J. Allen, L. Harris, and A. A. Thompson.

"An act to amend the act to incorporate the East River savings institution, passed April 11, 1848," Messrs. Townsend, Underwood and Douglass.

"An act to amend an act entitled, 'An act relating to sales by auction in the city of Albany,' passed March 16, 1850," Messrs. H. Harris, E. Perry and Briggs.

"An act authorising the Canal Appraisers to ascertain and award damages in certain cases," Messrs. Atwood Dennison and Bird.

"An act to amend art. first, title third, chap. seventh, part third, of the Revised Statutes, entitled, 'Of taking conditionally the testimony of witnesses within this State,'" Messrs. Townsend, Maurice and A. Smith.

"An act to amend an act entitled, 'An act to authorise the business of banking,' passed May 26, 1841," Messrs. Underwood, Douglass and Sherman.

"An act to amend an act entitled, 'An act to incorporate the New-York and Montgomery mining co,'" Messrs. Rumsey, Bradley and Snell.

"An act to incorporate the Mexican and inland steam co," Messrs. Wakeman, H. Harris and Dougherty.

"An act to incorporate the ladies' union aid society of the Methodist Episcopal church of the city of New-York," Messrs. Macomber, W. S. Gregory and Miles.

"An act to preserve the purity of certain streams used to supply the city of Albany with water," the delegation from Albany co.

"An act to confirm the title of the East river insurance company to certain real estate in the city of New-York, and to amend the charter thereof," Messrs. Townsend, Ward and Douglass.

"An act to incorporate the Manhattan steam ship co.," Messrs. Blackstone, Wakeman and Macomber.

"An act to amend chapter 350 of the Laws of 1850, entitled, 'An act to amend an act entitled, 'An act to provide for the incorporation of villages,' passed Dec. 7, 1847,' so far as relates to the vil-

lage of Baldwinsville, in the county of Onondaga," the delegation from Onondaga co.

"An act to amend an act entitled, 'An act in relation to justices' and police courts in the city of New-York,' passed March 30 1848," Messrs. Wakeman, Lesley and Greene.

"An act to authorise the Chautauque plank road company to borrow money," the delegation from Chautauque co.

"An act to amend the charter of the city of Troy, and to provide for the establishment of free schools in said city, passed April 4, 1849," Messrs. Lesley, Whiteside and Le Roy.

"An act to authorise the Buffalo gas light company to sell certain lands," the delegation from Erie co.

"An act to grant the right to George Truscott to hold and convey real estate," Messrs. Bird, Atwood and Barnes.

"An act declaratory of the act to authorise the recording of wills of real estate, and of exemplifications of judgment records and decrees in partition suits, and for other purposes, passed May 11, 1846," Messrs. Varnum, Heath and Campbell.

"An act to amend and extend an act entitled, 'An act to incorporate the firemen of the city of Utica,' passed April 26, 1833," the delegation from Oneida co.

Senate bill, "An act to release the interest of the State in certain lands, of which John Jackson died possessed, to Jemima Jackson his wife," Messrs. Lake, Chamberlin and Corser.

"An act to provide for the incorporation of mutual loan and building associations;" "An act to provide for the incorporation of building societies;" "An act to authorise the formation of corporations for building purposes;" "An act for the incorporation of building and accumulating associations," Messrs. Wakeman, J. Benedict, Burroughs, A. A. Thompson and Le Roy.

"An act in relation to the powers of the late court of chancery and supreme court in equity in certain cases," Messrs. Maurice, Wakeman and A. Smith.

On motion of Mr. Elderkin,
The House, at half-past six o'clock, adjourned.

WEDNESDAY, MARCH 12, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Mandeville.

The minutes of yesterday were read and approved.

Mr. Speaker announced the following bills as referred to select committees, hereinafter named, with power to report complete, to wit:

"An act to change the name of the town of Benton," Messrs. Bottom, E. T. Smith and Lake.

"An act in relation to the village of Holley," Messrs. Burroughs, Yeomans and Le Roy.

"An act to amend the act entitled, 'An act to incorporate the Syracuse city water works co.,' passed April 5, 1850," Messrs. Stevens, Le Roy and Maurice.

Mr. Speaker announced the special order to be the bills relating to private claims.

Mr. Maurice moved that the special order be postponed for five minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Maurice, and it was determined in the affirmative.

By unanimous consent,

Mr. Townsend asked and obtained leave to bring in a bill entitled, "An act to authorise Elisha B. Hogmire to change his name," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Maurice presented the petition of Phillip J. Bonsteel, for a release to certain lands in the city of New-York escheated to the State of N. Y. by the death of Arthur M. Carter, which was read and referred to the committee on the judiciary.

Mr. Kellogg presented the petition of the board of trustees of the New-York Central college association, which was read and referred to the committee on colleges, academies and common schools.

Mr. Atwood presented the petition of sundry inhabitants of Hamburg, Erie co., for the repeal of the present free school law, and a reenactment of the old law, which was read and referred to the committee of the whole.

Mr. J. Benedict presented the petition of citizens of Utica for an appropriation to Geneva college, which was read and referred to the committee on colleges, academies and common schools.

Mr. Miles presented three remonstrances of 177 citizens of Springwater, Livingston co., against the passage of any law permitting the agents of the Hornby and Pulteney lands to perpetuate testimony, which were read and referred to the committee on the judiciary.

Mr. Stewart presented the petition of sundry tax payers of Fulton co., for an act authorising the county treasurer of said county to pay to the superintendents and overseers of the poor of the several towns in said co., the surplus school moneys that were collected from said towns by mistake, and paid over to said treasurer during the present year, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Baker presented the petition of Jane Farley and sister for relief, which was read and referred to the committee on the petitions of aliens.

Mr. Kellogg presented the petition of 10 professional gents of Cortland co., for an appropriation for the purchase of a law library, to be located as directed by section one, chap. 300 of the Session Laws of 1849, at some point on the New-York and Erie railroad in

the southern tier of counties, which was read and referred to the select committee on that subject.

Mr. Tutbill presented the remonstrance of Jno. C. Ireland, and a host of other inhabitants of Southold, Suffolk co., against extending First st. in Greenport, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. A. A. Thompson presented the petition of numerous citizens of the city of New-York, to prevent the New-York and Erie railroad co., from diverting any portion of their traffic or business into the State of New Jersey, which was read and referred to the committee on railroads.

Mr. Ferris presented the petition of sundry inhabitants of Ithaca, Tompkins co., for a law fixing the salary of the district attorney of said county at \$500, which was read and referred to the committee of the whole.

Mr. Dennison presented three remonstrances of citizens of Onondaga co., against any law for the appointment of commissioners to assess and equalize the taxable property of Onondaga co., which were read and referred to the committee on the internal affairs of towns and counties.

Mr. Wakeman presented a remonstrance of citizens of the city of New-York, against the modification of the law for the redemption of bank notes, which was read and referred to the committee on banks and insurance companies.

Mr. Wakeman presented the petition of citizens of New-York, to compel the Erie railroad to comply with the provisions of their charter, which was read and referred to the committee on railroads.

Mr. Rouse presented the petition of 141 citizens of Utica, for the appointment of commissioners to examine and survey the most practicable route from the Hudson river to the west line of the State, for a portion of a contemplated railroad, and to report thereon in full, which was read and referred to the committee on railroads.

Mr. Brayton presented the petition of citizens of Oneida co., for the usual annual appropriation to Geneva college, which was read and referred to the committee on colleges, academies and common schools.

Mr. L. Harris presented the petition of citizens of Chenango co., for annual appropriation to Geneva college, which was read and referred to the committee on colleges, academies and common schools.

Mr. Ferris presented two petitions of sundry inhabitants of Tompkins and Tioga co., Mr. Gleason the petition of sundry inhabitants of Delaware co., praying for the repeal of the free school law, and the re-enactment of the old law, which were read and referred to the committee of the whole.

By unanimous consent,

Mr. Miles asked and obtained leave to bring in a bill entitled, "An act to enable the Attorney General to procure certain testimony and to defray the expense thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to

the select committee consisting of the Steuben and Livingston co. delegations.

By unanimous consent,

Mr. Kellogg asked and obtained leave to bring in a bill entitled, "An act to make an appropriation to the New-York central college association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

Mr. Fordyce, from the majority of the select committee on the license laws, reported in writing, and asked and obtained leave to bring in a bill entitled, "An act in relation to the sale of intoxicating liquors as a beverage," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(See Doc. No. 110.)

Mr. Speaker announced the special order.

Mr. Varnum moved that the special order be postponed for 10 minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Varnum, and it was determined in the affirmative.

Mr. Chamberlin, from the minority of the select committee on the license laws, reported in writing, and asked and obtained leave to bring in a bill entitled, "An act to prohibit the sale of intoxicating drinks as a beverage throughout the State," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(See Doc. No. 111.)

Mr. Varnum, from the committee on railroads, to which was re-committed the bill entitled, "An act to enable the Rochester, Lockport and Niagara Falls railroad co. to strengthen and otherwise improve their road," also the bill entitled, "An act to facilitate the construction of Lewiston railroad, and to authorise the Buffalo and Niagara Falls railroad co. and the Lewiston railroad co. to unite in one co.," reported that the committee had examined said bills, and saw no reason why the same should not be passed into a law.

Ordered, That said bills be committed to the committee of the whole.

By unanimous consent,

Mr. Varnum asked and obtained leave to bring in a bill entitled, "An act to repeal the act entitled, 'An act to provide for the publication of certain documents relating to the colonial history of the State,' passed March 30, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the joint library committee.

By unanimous consent,

Mr. Varnum asked and obtained leave to bring in a bill entitled, "An act for the presentation of a copy of the Natural History of this

State to the library of the Executive mansion in Washington," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Townsend moved that this order of business, being that of presentation of petitions, be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Townsend, and it was determined in the negative.

By unanimous consent.

Mr. Tuthill asked and obtained leave to bring in a bill entitled, "An act to promote medical inquiry and instruction," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on medical societies and colleges.

By unanimous consent,

Mr. Leggett offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the 4th Assembly rule be suspended, so that bills can be referred by the House to a select committee to report complete.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

By unanimous consent,

Mr. Cady asked and obtained leave to bring in a bill entitled, "An act in relation to sales by sheriffs and other officers, and in relation to actions against them," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Wakeman, from the select committee, to which was referred the bill entitled, "An act to incorporate the Manhattan steam ship company," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Wakeman, from the select committee, to which was referred the bill entitled, "An act for the incorporation of building mutual loan and accumulating fund associations," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Cady, from the select committee, to which was referred the bill entitled, "An act respecting the time of payment of drafts or bills of exchange drawn or made payable at sight," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Le Roy, from the select committee, to which was referred the

bill entitled, "An act to amend chapter 350 of the Laws of 1850, entitled, 'An act to amend an act entitled, 'An act to provide for the incorporation of villages,' passed Dec. 7, 1847,' so far as relates to the village of Baldwinsville, in the county of Onondaga," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Le Roy, from the select committee, to which was referred the bill entitled, "An act in relation to the duties of superintendents of the poor," to report complete, reported that the committee had gone through said bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled, as follows, to wit:

"An act to authorise Mary Louisa Powers and her trustees to sell and convey or to mortgage certain property."

"An act to authorise the supervisor and justices of the peace of the town of Newtown, in the county of Queens, to designate two places in that town to be used for the confinement of prisoners."

"An act to amend an act entitled, 'An act to incorporate the New-York and Montgomery mining company.'"

"An act in relation to the village of Holley."

"An act to amend title sixteen, chap. eight, part third, of the Revised Statutes, entitled, 'Of proceedings for the draining of swamps, marshes and other low lands.'"

Ordered, That said bills be read the third time.

Mr. Speaker announced the special order.

Mr. Burroughs moved to suspend the same five minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs and it was determined in the affirmative.

By unanimous consent,

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to provide for the construction of section 53, of article four, of title three, chapter one, part four of the Revised Statutes," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of Augustus Pettibone, late sheriff of Cayuga co., for relief, reported the following resolution :

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Burroughs, from the select committee, to which was referred the bill entitled, "An act relative to the village of Holley," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. O. Allen, from the select committee, to which was referred the bill entitled, "An act to authorise the Buffalo gas light co. to sell certain lands," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. A. A. Thompson,

Resolved, That a respectful message be sent to the Senate, requesting that the remonstrance of Fernando Wood and Cornelia McCafer against the application of Philip J. Bonsteel for relief, be transmitted to this House, and when read be referred to the committee on the judiciary.

Mr. Speaker annouced the special order.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act for the relief of Lewis W. Beecher and William H. C. Hosmer."

"An act to provide for the appraisement and payment to James McCabe of the damages incurred by him in consequence of the loss of the canal boat R. P. Hunt, by the breaking of the weigh lock in the city of Albany."

And after some time spent thereon, Mr. Speaker resumed the chair, and announced that the hour of a quarter before two o'clock having arrived, the House would take a recess till four o'clock, P. M.

FOUR O'CLOCK P. M.

The House again met.

The committee of the whole resumed the consideration of the private claim bills of this morning, and the bills entitled as follows :

"An act for the relief of John Ryan, Lathrop A. B. G. Grant and Otis Turner."

"An act to provide for the equitable settlement of the claims of Stiles Johnson and Norman Butler on their canal contracts."

"An act for the relief of Asa D. Wood, Ambrose Clark and William H. Douglass."

"An act to provide for the appraisal and payment of canal damages to Charles Ehle."

"An act to provide for the appraisal and payment of canal damages to Henry Crouse."

Senate bill, "An act authorising the Canal Commissioners to repair the public highway across the foot of Seneca Lake, and to protect the banks of the Cayuga and Seneca canal against injury from the waters of said lake."

"An act to provide for the appraisal and payment of canal damages to Robert Wilson."

"An act to provide for the appraisal and payment of canal damages to Reuben Lyon."

"An act for the relief of contractors upon the suspended work on the Oswego canal."

"An act to authorise the Canal Board to rehear the claim of Wm. J. Nelson and Ira E. Phillips, for work done on section No. 23 of the Genesee Valley canal."

"An act for the relief of John J. Ross."

"An act for the relief of Shuler Cady."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Chamberlin, from said committee, reported that the committee had gone through said first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, eleventh and thirteenth mentioned bills, and agreed to the same without amendment, which report was agreed to.

Mr. Chamberlin, from said committee, reported progress on said tenth, twelfth and fourteenth mentioned bills, and asked and obtained leave to sit again.

On motion of Mr. Burtoughs,

The House then, at half-past six o'clock, adjourned.

THURSDAY, MARCH 13, 1851.

The House met pursuant to adjournment,

Prayer by the Rev. Mr. Kip.

* The minutes of yesterday were read and approved.

Mr. Lesley presented the petition of the president and directors of the Eastern union turnpike to annul a part of their road, which was read and referred to the committee on roads and bridges.

Mr. Higby presented the petition of citizens of Steuben co., for the appropriation to Geneva college as recommended by the Governor, which was read and referred to the committee on colleges, academies and common schools.

Mr. Farr presented the petition of 75 inhabitants of Washington co., for an appropriation of \$10,000 for the improvement of the Saranac river, which was read and referred to the committee on ways and means.

Mr. Varnum presented four several petitions of sundry citizens of N. Y. city, for an appropriation for the removal of three dangerous rocks from Hurl Gate channel, which were read and referred to a select committee to be appointed.

Mr. J. Benedict presented the remonstrance of five inhabitants of Oneida co., against the organization of the Westernville water works co., which was read and referred to a select committee consisting of the Oneida co. delegation.

Mr. Campbell presented the petition of sundry inhabitants of Otsego co., for the abolition of capital punishment, which was read and referred to the select committee on that subject.

Mr. Minier presented the petition of sundry citizens of Chemung co., for the appropriation to Geneva college, as recommended by the Governor, which was read and referred to the committee on colleges, academies and common schools.

Mr. Lyon presented a petition to authorize notaries public to take acknowledgments, which was read and referred to the committee on the judiciary.

Mr. Greene presented the remonstrance of sundry citizens of N. Y. city, against any diversion of the business of the N. Y. and Erie railroad through New-Jersey, which was read and referred to the committee on railroads.

Mr. Stevens presented the remonstrance of 110 inhabitants of Onondaga co., Mr. Le Roy the petition of 100 inhabitants of Onondaga co., against the re-charter of the Sodus canal company, which were read and referred to the committee of the whole.

Mr. Whiteside presented three petitions of inhabitants of Washington co., Mr. Humphrey two petitions of sundry inhabitants of Wyoming co., Mr. Bushnell two petitions of sundry inhabitants of Jefferson co., Mr. Stewart one petition of sundry inhabitants of Fulton co., Mr. J. W. Babcock one petition of sundry inhabitants of Niagara co., for the suppression or regulation of the liquor traffic, which was read and referred to the committee of the whole.

Mr. Rouse presented the petition of 73 citizens of Clinton, Oneida co., for the appointment of commissioners to examine and survey a route through the State of New-York, for a portion of a contemplated peoples' national railroad, and to report thereon in full, which was read and referred to the committee on railroads.

Mr. Brayton presented the petition of Geo. Hawkins of Western, Oneida co., for a new appraisal of his canal damages, which was read and referred to the committee on claims.

Mr. Snell presented the petition of inhabitants of Saratoga co., for an act to extend the powers of notaries public, which was read and referred to the committee on the judiciary.

Mr. Hatch presented the petition of inhabitants of Oswego co., in relation to the Oswego county agricultural society, which was read and referred to the committee on agriculture.

Mr. Hatch presented the petition of sundry inhabitants of Mexico, Oswego co., for a law constituting the territory included within the corporate limits of said village, a separate road district, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. J. Benedict presented the petition of inhabitants of Oneida co., to prevent the leasing of the poor house for more than one year

by county superintendents, which was read and referred to the committee on the judiciary.

Mr. Hewitt presented the petition of citizens of Clinton co., for a law authorising the bridging of the Champlain river for railroad purposes, which was read and referred to the committee on railroads.

Mr. Wakeman presented the remonstrance of citizens of New-York city, against a diversion of the business of the New-York and Erie railroad into New Jersey, which was read and referred to the committee on railroads.

Mr. Stilwell presented the petition of the commissioners of highways of Oswegatchie, St. Lawrence co., for an act to confirm and legalise certain town records of roads in said town, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Stratton presented the petition of sundry inhabitants of Sullivan co., Mr. Bottom the petition of citizens of Wayne co., Mr. Stilwell the petition of citizens of St. Lawrence co., Mr. Humphrey the petition of citizens of Wyoming co., Mr. Campbell the petition of citizens of Otsego co., Mr. Barnes the petition of citizens of Orange co., Mr. Rumsey the petition of citizens of Orange co., Mr. Wheeler the petition of citizens of Franklin co., Mr. Snell the petition of citizens of Montgomery co., Mr. Shall the petition of citizens of Herkimer co., Mr. A. Smith the petition of citizens of Chautauque co., for the repeal or modification of the free school law, which was read and referred to the committee of the whole.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act in relation to the duties of superintendents of the poor."

"An act respecting the time of payment of drafts or bills of exchange, drawn or made payable at sight."

"An act for the incorporation of building, mutual loan, and accumulating fund associations."

"An act to amend chapter 350 of the Laws of 1850, entitled, 'An act to amend an act entitled, 'An act to provide for the incorporation of villages,' passed Dec. 7, 1847,' so far as relates to the village of Baldwinsville, in the county of Onondaga"

"An act to authorise the Buffalo gas light company to sell certain lands."

Ordered, That said bills be read a third time.

Mr. Brayton, from the committee on agriculture, to which was referred sundry petitions and remonstrances in relation to the Oswego co. agricultural society, reported, and asked and obtained leave to bring in a bill entitled, "An act in relation to the Oswego co. agricultural society," which was read the first time and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Sherman, from the committee on claims, to which was referred the petition of Jonas Ingraham, in relation to work done on the Main and Hamburg-st. canal, in the city of Buffalo, reported the following resolution :

Resolved, That the Canal Commissioners have full power to settle the contract of Jonas Ingraham, for work done under said contract on the Main and Hambugh-st. canal, in the city of Buffalo, and to allow him whatever he is justly and equitably entitled to receive according to the terms thereof.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Sherman, from the committee on claims, to which was referred the petition of John Lafoy and Joshua Clements for canal damages, reported the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Sherman, from the committee on claims, to which was referred the petition of John S. Van Schaick and others, for canal damages, reported in writing, and asked and obtained leave to bring in a bill entitled, "An act for the appraisal and payment of canal damages to John S. Van Schaick and others," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(See Doc. No. 107.)

Mr. O. Allen, from the committee on canals, to which was referred the Senate bill entitled, "An act for the relief of Wm. Buel, jr., Hamilton N. Sherwood and James Oswald, contractors on section 13 of the Erie canal enlargement," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. O. Allen, from the committee on canals, to which was referred the Senate bill entitled, "An act for the relief of Solomon Parmelee, a contractor on section 11 of the Erie canal enlargement," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. O. Allen, from the committee on canals, to which was referred the Senate bill entitled, "An act for the relief of Charles A. Daniels, John M. K. Hilton and Charles Moore, or their assignees, contractors on the 12th section of the Erie canal enlargement," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. O. Allen, from the committee on canals, to which was referred the Senate bill entitled, "An act for the relief of Geo. H. Boughton, or his assigns, contractors on section 14 of the Erie canal enlarge-

ment," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law. *

Ordered, That the said bill be committed to the committee of the whole.

Mr. O. Allen, from the committee on canals, to which was referred that portion of the Governor's message which relates to the speedy completion of the canals of this State, reported in writing, and asked and obtained leave to bring in a bill entitled, "An act to provide for the completion of the Erie canal enlargement, Genesee Valley and Black River canals," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(*See Doc. No. 102.*)

Mr. Lesley, from the committee on roads and bridges, to which was referred the petition of the Vienna and Clifton Springs plank road co., for an extension of time to complete their road, reported, and asked and obtained leave to bring in a bill entitled, "An act in relation to the Vienna and Clifton Springs plank road co." which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the Senate bill entitled, "An act in relation to the officers having charge of highways and to the labor assessed thereon," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the Senate bill entitled, "An act to organize the village of Canastota as a separate road district," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the petition of sundry inhabitants of Franklin co., for aid in constructing a bridge in said county, reported the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Tuthill, from the committee on medical colleges and societies, to which was referred the bill entitled, "An act to promote medical inquiry and instruction," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the petition of sundry inhabitants of the town of Orange, Steuben co., for the passage of a law providing more effectually for the education of poor and destitute children, reported the following resolution :

Resolved, That the committee be discharged from the further consideration of the subject.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the petition of the Rochester orphan asylum and Roman Catholic orphan asylum, Rochester, praying for a continuance of appropriations, reported the following resolution :

Resolved, That the committee be discharged from the further consideration of the subject, and that it be referred to the committee on charitable and religious societies.

Mr. Speaker put the question whether the House would agree to the resolution, and it was determined in the affirmative.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the bill entitled, "An act to prevent the extra appropriation of the school fund to the support of colleges and academies in this State," reported that the committee had examined said bill, and had come to the conclusion that the same ought not to be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, asked and obtained leave to bring in a bill entitled, "An act making appropriations to certain academies for 1852 and 1853," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, asked and obtained leave to bring in a bill entitled, "An act making appropriations to certain colleges," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Varnum, from the committee on railroads, to which was referred the bill entitled, "An act in relation to the Sackett's Harbor and Ellisburgh railroad co.," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Lesley, from the select committee, to which was referred the Senate bill entitled, "An act to amend the charter of the city of Troy, and to provide for the establishment of free schools in said city, passed April 4, 1849," to report complete, reported that the committee

had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Townsend, from the select committee, to which was referred the bill entitled, "An act to confirm the title of the East river insurance company to certain real estate in the city of New-York, and to amend the charter thereof," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Townsend, from the select committee, to which was referred the bill entitled, "An act to amend art. first, title third, chap. seventh, part third, of the Revised Statutes, entitled, 'Of taking conditionally the testimony of witnesses within this State,'" to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to:

Ordered, That said bill be engrossed for a third reading.

Mr. Townsend, from the select committee, to which was referred the bill entitled, "An act to amend the act to incorporate the East River savings institution, passed April 11, 1848," to report complete, reported that the committee had gone through said bill and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Maurice from the select committee to which was referred the general orders, reported that the committee had taken from the general orders, and recommended as proper to be referred to select committees with power to report complete, forty-three several bills, the titles of which were read by him, the report of the committee was agreed to, and said bills were severally referred as follows:

"An act to authorise the Union plank road company of the town of Kingston, to establish gates and regulate tolls upon their roads," Messrs. W. F. Russel, Davis and Whiteside

"An act to authorise the Brabant plank road company to construct their road three rods wide," Messrs. W. F. Russel, Atwood and Farr.

"An act to authorise the supervisors of the county of Wayne, to levy a tax upon the town of Lyons in said county, for the purpose of building a bridge over the Clyde river on the Geneva road," Messrs. Bottum, Yeomans and Stratton.

"An act to amend section twenty-fourth, of chapter fifth, article third, title first, part second of the Revised Statutes, relating to the discharge of insolvent debtors," Messrs. Wooster, Welden and Horton.

"An act to authorise William Beard and others to construct and build docks, wharves &c., in the sixth ward of the city of Brooklyn," the delegation from Kings county.

"An act to authorise the construction of a draw bridge across the Fresh Kills in Richmond county," Messrs. Wakeman, Townsend and Varnum.

"An act to enable Jean Baptiste Feriere and others, to take, hold and convey certain real estate," Messrs. J. Benedict, Rouse and Backhouse.

"An act to revive and extend an act authorizing John Low and others to erect and maintain a rolling dam across the Susquehannah river, in the town of Milford and county of Otsego," Messrs. W. F. Russell, Wright and Coffin.

Senate bill, "An act to release to the owners of farm lots 256 and 257 in the Onondaga salt springs reservation, all the interest of the state therein," the delegation from Onondaga county.

"An act to amend the act entitled, 'An act to authorise the abatement of a nuisance on lands owned by the people of the State of New-York, and other lands in the city of Syracuse,' passed January 25, 1849," the delegation from Onondaga county.

"An act in relation to highways and roads," the delegation from Onondaga county.

"An act to amend the charter of the Albany Cemetery association," the delegation from Albany county.

"An act to amend an act passed May 3, 1836, entitled, 'An act to incorporate the Albany county mutual insurance company,'" the delegation from Albany county.

"An act to authorise the inhabitants of the town of Pittsford to raise money by tax to lay out and open a certain road in the county of Monroe," Messrs. Fordyce, Corser and Snell.

"An act to alter the map or plan of the city of New-York by changing the permanent exterior line on the East river between eighteenth street and twenty-third street," Messrs. Wakeman, Greene and Dougherty.

"An act to amend the Revised Statutes in relation to larceny," Messrs. Fitzhugh, Greene and Tuthill.

"An act in relation to mortgages taken by the commissioners for loaning certain moneys of the United States," Messrs. Varnum, A. Smith and Maurice.

"An act to incorporate the New-York academy of medicine," Messrs. Tuthill, Dennison and Swords.

"An act to amend an act entitled, 'An act to incorporate the Emigrant industrial savings bank,'" Messrs. Wakeman, Lake and Macomber.

"An act to provide for the collection of unpaid fees and perquisites for official services rendered by the county judges and surrogates, which accrued upon or after the 1st Monday of July, 1847, and prior to the 2d day of April, 1849," Messrs. Gleason, Barnes and Hewit.

"An act to amend an act entitled, 'An act to provide for the assessment and collection of taxes in the city of Albany,' passed March 23, 1850," Messrs. H. Harris, E. Perry and L. Harris.

"An act for the relief of Elihu C. Wright," Messrs. Doyle, Wright and Barnes.

"An act to confirm the official acts of Torrey J. Luce, a justice of the peace of the town of Hartwick in the county of Otsego," Messrs. Wright, Doyle and Barnes.

"An act to amend an act entitled, 'An act to amend an act passed March 29, 1848, to improve the Cayuga creek road," Messrs. Stevens, W. F. Russell and Doyle.

"An act to facilitate the proof of payment of debts," Messrs. Maurice, Underwood and Bird.

"An act authorising the Jamaica and Brooklyn plank road co. to increase their capital stock," the delegation from Queens co.

"An act to authorise the county judge of Queens co to sign the certificate of the proof of certain wills recorded in the surrogate's office of that county," the delegation from Queens co.

"An act authorising Thomas I. Jacobs to change his name," Messrs. Maurice, Briggs and Campbell.

"An act in relation to the indictment and place of trial of nuisances," Messrs. Maurice, A. Smith and Townsend.

"An act in relation to the Rochester collegiate institute," the delegation from Monroe co.

"An act in relation to the bridges over the Croton river in the county of Westchester," Messrs. Briggs, Campbell and Cooke.

"An act to change the name of the first Presbyterian church of Britton's settlement, in Onondaga co.," the delegation from Onondaga co.

"An act to authorise the Commissioners of the Land Office to adjust certain claims to a piece of land belonging to the State in the town of Wolcott by sale or otherwise," Messrs. Cooke, Bushnell and Rowe.

Senate bill, "An act authorising county clerks to appoint special deputies," Messrs. Lake Chamberlin and Barnes.

"An act to authorise the clerk of Wayne co. to record a certain deed," the delegation from Wayne co.

"An act to amend the act to combine into one the several acts relating to the city of Albany, passed April 12, 1842, and the several acts amendatory thereof," the delegation from Albany co. and Mr. Briggs.

"An act to authorise the commissioners of highways of the town of Schoon to borrow money," the delegation from Essex co.

"An act to abolish the office of recorder of the city of Rochester," Messrs. Fitzbush, Corser and Davis.

"An act to incorporate the Yonkers ferry company," Messrs. Townsend, Briggs and Douglass.

"An act to amend an act entitled, 'An act to incorporate the village of Franklin, in the county of Delaware,' passed May 12, 1836," the delegation from Delaware co.

"An act to incorporate the Watson agricultural institute," Messrs. Bottom, Yeomans and Fisk.

"An act to renew the charter of the State road from the Orange turnpike to Nyack, in the county of Rockland," the delegation from Rockland co.

Senate bill, "An act to amend an act entitled, 'An act concerning the district attorney in the county of Ulster,' passed May 14, 1845," the delegation from Ulster co.

Mr. Speaker then announced the special order of the day.

Mr. Wakeman moved that the special order be postponed for half an hour.

Mr. Speaker put the question whether the House would agree to

the said motion of Mr. Wakeman, and it was determined in the affirmative.

Mr. Brayton, from the select committee consisting of the Oneida co. delegation, to which was referred the petition of John Swan and others, inhabitants of Western, Oneida co., for the incorporation of the Westernville water works co., reported, and asked and obtained leave to bring in a bill entitled, "An act to incorporate the Westernville water works co.," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Stilwell, from the select committee consisting of the St. Lawrence co delegation, to which was referred the petitions of Wm. Ford and others, inhabitants of the town of Morristown, in relation to certain ferries, reported, and asked and obtained leave to bring in a bill entitled, "An act giving to the supervisors and justices of the peace of the town of Morristown, in the county of St. Lawrence, power to lease and regulate certain ferries in said town," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. H. J. Allen, from the select committee, to which was referred the bill entitled, "An act to regulate the rates of wharfage on lighters in the cities of New-York and Brooklyn," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. W. S. Gregory, from the select committee, to which was referred the bill entitled, "An act to incorporate the asylum for friendless boys in the city of New-York," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Maurice, from the select committee, to which was referred the bill entitled, "An act in relation to the powers of the late court of chancery and supreme court in equity in certain cases," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Lake, from the select committee, to which was referred the Senate bill entitled, "An act to release the interest of this State in certain lands of which John Jackson died possessed, to Jemima Jackson his widow," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. A. Smith, from the select committee, to which was referred the bill entitled, "An act to authorise the Chautauque Central plank road company to borrow money," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Underwood, from the select committee, to which was referred the bill entitled, "An act to amend an act to exempt for sale on execution the homestead of a householder having a family, passed April 10, 1850," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Varnum, from the select committee, to which was referred the bill entitled, "An act to remove certain papers relating to the city of New-York, from the office of the clerk of the court of appeals to the office of the clerk of the supreme court of the city and county of New-York," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment.

Ordered, That said bill be engrossed for a third reading.

Mr. Varnum, from the select committee, to which was referred the bill entitled, "An act declaratory of the act to authorise the recording of wills of real estate, and of exemplifications of judgment records and decrees in partition suits and for other purposes," to report complete, reported that the committee had gone through said bill and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Wakeman, from the select committee, to which was referred the bill entitled, "An act to repeal an act entitled, 'An act to amend an act for the more effectual prevention of fires in the city of New-York, and to amend the acts heretofore passed for that purpose,' passed April 4, 1849, and to amend an act entitled, 'An act for the more effectual prevention of fires in the city of New-York, and to amend the acts heretofore passed for that purpose,' passed March 7, 1849," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Wakeman, from the select committee, to which was referred the bill entitled, "An act to amend an act entitled, 'An act to extend the charter of the firemen of the city of New-York,' passed April 16, 1831," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Wakeman, from the select committee, to which was referred the bill entitled, "An act to incorporate the Mexican Ocean mail and inland company," to report complete, reported that the committee had gone through said bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Wakeman, from the select committee, to which was referred the bill entitled, "An act to amend an act entitled, 'An act in relation to justices and police courts in the city of New-York,' passed March 30, 1848," to report complete, reported that the committee

had gone through said bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading

Mr. Stevens, from the select committee, to which was referred the bill entitled, "An act to amend the act entitled, 'An act to incorporate the Syracuse city water works company,' passed April 5, 1850," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Atwood, from the select committee, to which was referred the bill entitled, "An act authorising the canal appraisers to ascertain and award damages in certain cases," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

Mr. Rumsey, from the select committee, to which was referred the bill entitled, "An act to amend an act entitled, 'An act to incorporate the New-York and Montgomery mining company,'" to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Dewey, from the select committee, to which was referred the bill entitled, "An act to prohibit the sale of firewood in the city of New-York, by unlicensed persons," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. LeRoy, from the select committee, to which was referred the bill entitled, "An act to remove the capital of the State," reported in writing.

(See Doc. No. 106.)

Ordered; That the said bill be committed to the committee of the whole.

Mr. Macomber, from the select committee, to which was referred the bill entitled, "An act to incorporate the ladies' union aid society of the Methodist Episcopal church in the city of New-York," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Bird, from the select committee, to which was referred the bill entitled, "An act to grant the right to Geo. Truscott to hold and convey real estate," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Bottum, from the select committee, to which was referred the bill entitled, "An act to change the name of the town of Burton," to

report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. J. Benedict, from the select committee, to which was referred the bill entitled, "An act to amend and extend an act entitled, 'An act to incorporate the firemen of the city of Utica,' passed April 26, 1833," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

Mr. Brayton, from the select committee, to which was referred the Senate bill entitled, "An act to authorise the Butternuts and Oxford turnpike co. to abandon a part of their road," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment.

Mr. Campbell moved that said bill be recommitted to the committee of the whole.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Campbell, and it was determined in the negative.

Mr. Underwood moved to lay the report on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Underwood, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the report of the committee on said bill, and it was determined in the affirmative.

Ordered, That the said bill be engrossed for a third reading.

Mr. H. Harris, from the select committee, to which was referred the bill entitled, "An act to preserve the purity of certain streams used to supply the city of Albany with water," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

Mr. H. Harris, from the select committee, to which was referred the bill entitled, "An act to amend an act entitled, 'An act relating to sales by auction in the city of Albany,' passed March 16, 1850," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Baker moved to take from the table the report of the select committee on the bill entitled, "An act to incorporate the city of Williamsburgh."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Baker, and it was determined in the affirmative.

• Pending debate on adopting the report of the select committee, Mr. Speaker announced the special order.

Mr. H. Harris moved to suspend the special order for half an hour.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. H. Harris, and it was determined in the affirmative.

Mr. Maurice moved to amend said bill by substituting for the first section of said bill, the first section of the bill heretofore introduced by him on the same subject.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Maurice, and it was determined in the negative.

{ AYES 27 }
{ NOES 39 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Colvin	Kinsley	E. Perry	Stewart
R. Babcock	Dennison	Lake	Rider	Stratton
Barnes	Doyle	Le Roy	W. Russell	O. C. Thompson
Bowne	Hatch	Maurice	Shall	Wooster
Burroughs	Higby	Minier	E. T. Smith	Wright
J. F. Clark	Jayne			

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Those who voted in the negative are,

O. Allen	Bottum	Ferris	Leggett	Stevens
J. W. Babcock	Brayton	Feller	McLouth	Speaker
Backhouse	Campbell	Fordyce	Miles	Tuthill
Baker	G. Clark	Gilbert	Pool	Ward
Belknap	Coffin	Gleason	Rowe	Welden
J. Benedict	Cooke	H. Harris	Rumsey	Whiteside
Bishop	Corser	Humphrey	Sherman	Yeomans
Blackstone	Farr	Kellogg	Southwick	

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Mr. Maurice moved that the bill be recommitted to the select committee, with instructions to report an amendment as stated by him.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Maurice, and it was determined in the negative.

{ AYES 24 }
{ NOES 47 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	J. F. Clark	Hewit	Minier	Stewart
R. Babcock	Colvin	Jayne	E. Perry	Stilwell
Barnes	Dougherty	Kinsley	W. Russell	O. C. Thompson
Bowne	Doyle	Le Roy	W. F. Russell	Wooster
Burroughs	Hatch	Maurice	Shall	

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Those who voted in the negative are,

J. W. Babcock	Chamberlin	Fordyce	Lawyer	A. Smith
Backhouse	G. Clark	Gilbert	Leggett	Stevens
Baker	Coffin	Gleason	McLouth	Speaker

Belknap	Cooke	H. Harris	Pardee	Tuthill
J. Benedict	Corser	Heath	Rouse	Wakeman
Bishop	Dewey	Hoppin	Rowe	Ward
Blackstone	Farr	Humphrey	Rumsey	Welden
Bottum	Ferris	Ingersoll	Sherman	Whiteside
Brayton	Feller	Kellogg	Shultes	Yeomans
Campbell	Fisk			

Mr. Bradley moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the report of the said committee, and it was determined in the affirmative.

Mr. Speaker announced the following select committee on the petition in regard to the removal of rocks at Hell Gate: Messrs. Varnum, Maurice, Wakeman, Baker and H. J. Allen.

By unanimous consent,

Mr. Hewit asked and obtained leave to bring in a bill entitled, "An act to amend an act passed April 26, 1831, to incorporate the village of Plattsburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the Clinton and Franklin co. delegations.

By unanimous consent,

Mr. Wakeman asked and obtained leave to bring in a bill entitled, "An act for the relief of the free library of the general society of mechanics and tradesmen of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

By unanimous consent,

Mr. A. Smith asked and obtained leave to bring in a bill entitled, "An act to authorise the county clerk of Chautauque co. to procure a new seal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. A. Smith offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That thirty times the usual number of the report of the canal committee, on so much of the Governor's message as relates to the canals of the State, be printed.

Ordered, That the said resolution be referred to the committee on printing.

Mr. Speaker announced the special order.

The House then resolved itself into a committee of the whole on the bills entitled, as follows, to wit:

"An act to appropriate money to the society for the reformation of juvenile delinquents in the city of New-York, and to enable them to erect new buildings."

"An act making appropriations for the State prisons at Sing Sing and Clinton."

"An act for the relief of Hotchkiss and Smith, and their assignees."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Yeomans, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same without amendment, which report was agreed to.

Mr. Yeomans, from said committee, reported progress on said last mentioned bills, and asked and obtained leave to sit again.

The House then took a recess until 4 o'clock.

FOUR O'CLOCK P. M.

The House again met.

Mr. Wheeler, from the select committee, to which was referred the bill entitled, "An act authorising certain railroad companies in this State to change the time for the election of directors," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Macomber moved that this order of business be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Macomber, and it was determined in the negative.

A message from the Senate was received and read, informing that they had passed without amendment, the bill entitled, as follows:

"An act to provide for an additional justice of the peace in the town of Hector in the county of Tompkins."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bills entitled as follows :

"An act to authorise the election of two police justices in the town of Kingston," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act to incorporate the Frankfort water works company," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of the Herkimer county delegation.

Mr. Macomber moved to lay this order of business on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Macomber, and it was determined in the negative.

The bill entitled, **"An act to authorise an election of trustees and other officers in the town of Fonda,"** was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly; voting in favor thereof, as follows:

{ AYES 70 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Bushnell	Gleason	McLouth	Sickles
Atwood	Carrington	W. S. Gregory	Macomber	Stevens
R. Babcock	Chamberlin	Greene	Maurice	Stratton
Backhouse	G. Clark	H. Harris	Miles	Swords
Baker	J. F. Clark	Hatch	E. Perry	A. A. Thompson
Barnes	Coffin	Heath	J. L. Perry	O. C. Thompson
Belknap	Corser	Higby	Pool	Townsend
J. Benedict	Dennison	Hoppin	Rouse	Varnum
Bird	Douglass	Kinsley	Rowe	Wakeman
Bishop	Farr	Kellogg	W. F. Russell	Welden
Bottum	Ferris	Lake	Ryan	Wheeler
Bradley	Fisk	Lawyer	Shall	Whitely
Briggs	Fitzhugh	Leggett	Sherman	Wright
Burrongs	Fordyce	Le Roy	Shultes	Yeomans 70

Mr. Macomber moved to lay this order of business on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Macomber, and it was determined in the affirmative.

On motion of Mr. Leggett,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit:

Resolved, That the fourth rule of the Assembly be suspended so that bills can be referred by the House to a select committee, to consist of not less than nine members, to report complete.

Mr. Burroughs moved to amend by adding, "and that all bills now on the files of this House be referred to a committee of three, and that they be engrossed for a third reading."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

Mr. Elderkin moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the negative.

Mr. Burroughs moved to postpone the consideration of said resolution until the 1st day of July next.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

Mr. O. Allen moved to amend by substituting five instead of nine members.

Mr. Burroughs moved to lay the whole subject on the table.

Mr. Speaker put the question whether the House would agree to

the said motion of Mr. Burroughs, and it was determined in the negative.

Mr. Burroughs moved to postpone the consideration of the subject until the first day of April next.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

{ AYES 43 }
{ NOES 47 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Atwood	G. Clark	Hatch	Noble	O. C. Thompson
Barnes	Dougherty	Heath	Rider	Townsend
Belknap	Elderkin	Hewit	Rumsey	Tuthill
T. H. Benedict	Ferris	Horton	Shall	Varnum
Bird	Fitzhugh	Lake	Shultes	Wakeman
Blackstone	Fordyce	Le Roy	E. T. Smith	Wheeler
Bradley	Gleason	Macomber	Stilwell	Wooster
Burroughs	Greene	Maurice	Swords	Yeomans
Campbell	H. Harris	Minier		

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Those who voted in the negative are,

H. J. Allen	Bushnell	Gilbert	Lesley	Sherman
O. Allen	Carrington	Graham	McLouth	Sickles
J. W. Babcock	Chamberlin	W. S. Gregory	Miles	Stewart
Backhouse	J. F. Clark	L. Harris	E. Perry	Stratton
Baker	Coffin	Higby	Pool	A. A. Thompson
J. Benedict	Cooke	Hoppin	Rouse	Underwood
Bishop	Corser	Humphrey	Rowe	Welden
Bowne	Dennison	Kellogg	W. F. Russell	Whitenside
Brayton	Farr	Leggett	Ryan	Wright
Briggs	Feller			

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Mr. Leggett moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then announced the question to be on the original resolution of Mr. Leggett.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

{ AYES 25 }
{ NOES 66 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

J. W. Babcock	Feller	Hinds	McLouth	Rewe
J. Benedict	Gilbert	Hoppin	Miles	W. F. Russell
Bishop	W. S. Gregory	Leggett	J. L. Perry	Stewart
Bushnell	L. Harris	Lesley	Pool	A. A. Thompson
Farr	Higby	Lyon	Rouse	Underwood

25

Those who voted in the negative are,

O. Allen	Briggs	Fisk	Lawyer	Stilwell
Atwood	Burroughs	Fitzhugh	Lo Roy	Stratton
R. Babcock	Campbell	Fordyce	Macomber	Swords
Backhouse	Carrington	Gleason	Maurice	O. C. Thompson
Baker	G. Clark	Graham	Minier	Townsend
Barnes	Cooke	Greene	Rider	Tuthill
Bellnap	Corser	H. Harris	Ramsey	Varnum
T. H. Benedict	Davis	Hatch	Ryan	Wakeman
Bird	Dennison	Heath	Shall	Wheeler
Blackstone	Dougherty	Hewit	Shutes	Whitson
Bottum	Doyle	Horton	Sickles	Wooster
Bowne	Elderkin	Kellogg	A. Smith	Wright
Bradley	Ferris	Lake	E. T. Smith	Yeomans
Brayton				

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Mr. Bishop offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the bill entitled, "An act to amend the charter of the village of Dundee," be recommitted to the committee of the whole, for the purpose of amendment in relation to the building and repairing of bridges within the corporate limits of said village.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

On motion of Mr. J. Benedict,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit:

Resolved, That hereafter this House will meet at ten o'clock, A. M.

Mr. Maurice moved to amend by substituting nine o'clock for ten.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Maurice, and it was determined in the negative.

Mr. Burroughs moved to amend by substituting half-past ten o'clock for ten.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Greene,

Resolved, That a committee of five be appointed to confer with such committee as may be appointed by the Senate, to take into consideration the invitation before the Legislature to visit the city of New-York.

Mr. W. S. Gregory offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That Assembly bill No. 244 on general orders, be taken from the same, and referred to the committee of the whole having charge of bills 346 and 234, general orders.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

Mr. Wakeman moved to lay this order of business on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wakeman, and it was determined in the negative.

Mr. W. F. Russell offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the select committee having in charge the investigation of a contested seat in this House between Messrs. Jayne and Underwood, of Yates co., be requested to report forthwith to this House the result of their investigation.

Debate being had thereon,

Ordered, That the said resolution be laid upon the table.

Mr. Hatch gave notice that he would, at an early day, ask leave to introduce a bill in relation to the Oswego canal.

Mr. Varnum offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the bill No. 407 on general orders to amend the several acts relative to passengers coming to the city of New-York and the public health, be recommitted to the select committee of the New-York delegation, but retain its place on the general orders.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. J. Benedict offered for the consideration of the House, a resolution, in the words following, to wit :

Resolved, That the resolution heretofore offered by Mr. Elderkin to print three times the usual number of the report of the committee on militia and public defence be rescinded.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. Elderkin offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the bill for the organization of the militia of this State, introduced by Mr. Elderkin some days since, be taken from the committee and three times the usual number printed as ordered, and the bill be returned to the committee on militia and public defence.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. T. H. Benedict gave notice that he would, at an early day, ask leave to present a bill for the relief of Hannah Dobias, widow of Dr. Joseph Dobias, deceased.

Mr. T. H. Benedict offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the school bills be made the special order for to-morrow, Friday at four o'clock.

Mr. Briggs moved to amend by substituting Saturday for Friday.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Briggs, and it was determined in the affirmative.

Mr. Burroughs moved to amend by striking out "4 o'clock" and inserting "immediately after the reading of the journal."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

Mr. T. H. Benedict moved to amend by adding "and that they be made the special order for Monday at 4 o'clock."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. T. H. Benedict, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. Lyon,

Resolved, That the Surveyor General and State Engineer be and is hereby instructed to report at once the state of the public lands according to a resolution of this House.

On motion of Mr. Wheeler,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, (If the Senate concur,) That on Tuesday, the 18th day of March, 1851, at twelve o'clock, noon, the Legislature will proceed to elect a Regent of the University, to fill the vacancy occasioned by the death of the late Peter Wendell, M. D. ; such election to be conducted in the same manner as is required by law in the election of a United States Senator.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. Legget,

Resolved, That the bill to renew the charter of the Sacketts Harbor and Saratoga railroad company be made the special order for Monday next at 12 o'clock.

Mr. Briggs moved that this order of business, being that of motions, resolutions and notices, be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Briggs, and it was determined in the affirmative.

Mr. Speaker having announced the order of business to be that of unfinished business.

Mr. Burroughs moved that it be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to establish and organize a bank department."

"An act to aid Genesee college."

"An act to aid the Rochester University."

"An act for the licensing and government of the pilots of the port of New-York by the way of Sandy Hook."

Pending the consideration of the same, the hour of seven having arrived, Mr. Speaker resumed the chair, and announced the special

order to be the bill entitled, "An act to establish the agricultural college of the State of New-York."

Mr. Underwood moved to postpone the special order 15 minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Underwood, and it was determined in the affirmative.

The committee of the whole then resumed the consideration of the said several bills.

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Sherman, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same with amendments.

Mr. Burroughs moved to strike out all after "department" in the second line of the second section of said bill, all the third line, and in the fourth line to and including the word "years" and insert as follows :

"Said office until the first day of January 1853, shall be filled by appointment to be made by the Governor, by and with the advice and consent of the Senate, and such superintendents shall be elected at the general election to be held in November 1852, and once in each subsequent two years thereafter in the same manner in which the comptroller is now elected ; said officer so elected shall hold his office for the term of two years, the first said term to commence on the first day of January 1853."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

{ AYES 22 }
{ NOES 43 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Barnes	Doyle	Jayne	Maurice	W. F. Russell
Burroughs	Elderkin	Kinsley	Minier	Snell
J. F. Clark	Gleason	Lawyer	E. Perry	Stewart
Coffin	Hatch	Le Roy	Rumsey	Stilwell
Dennison	Higby			

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Those who voted in the negative are,

O. Allen	Briggs	L. Harris	Macomber	Stevens
J. W. Babcock	Chamberlin	Heath	Miles	Speaker
Backhouse	G. Clark	Hoppin	Rouse	Townsend
Belknap	Cooke	Humphrey	Rowe	Tuthill
J. Benedict	Corser	Kellogg	Sherman	Underwood
T. H. Benedict	Feller	Lake	Shultes	Varnum
Bird	Fordyce	Leggett	A. Smith	Welden
Bottum	Greene	Lesley	Southwick	Yeomans
Brayton	H. Harris	McLouth		

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Mr. Burroughs then moved to strike out all after the word "be," in the second line, and all to and including the word "Senate," in the

third line, and inserting as follows: "elected at the next general election in this State on the same ticket with other state officers."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

{ AYES 25 }
{ NOES 44 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Dennison	Hatch	Le Roy	W. F. Russell
Barnes	Dougherty	Higby	Maurice	Sickles
Burroughs	Doyle	Jayne	Minier	Snell
J. F. Clark	Elderkin	Kinsley	Noble	Stewart
Coffin	Ferris	Lawyer	E. Perry	Sulwell
				25

Those who voted in the negative are,

O. Allen	Campbell	Greene	Macomber	Stevens
J. W. Babcock	Chamberlin	H. Harris	Miles	Speaker
Backhouse	G. Clark	L. Harris	Rouse	Townsend
J. Benedict	Cooke	Heath	Rowe	Tuthill
T. H. Benedict	Corser	Hoppin	Rumsey	Underwood
Bird	Farr	Humphrey	Sherman	Varnum
Bottum	Fisk	Kellogg	Shultes	Welden
Brayton	Fordyce	Lesley	A. Smith	Yeomans
Briggs	Gilbert	McLouth	Southwick	
				44

Mr. Humphrey moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the report of the said committee, and it was determined in the affirmative.

Mr. Sherman, from said committee, reported progress on said two last mentioned bills, and asked and obtained leave to sit again.

On motion of Mr. Macomber,

Resolved, That the select committee to which was referred the bill reducing railroad fare, be discharged from the further consideration of the same and that another committee be appointed.

Mr. Speaker announced the special order.

The House then resolved itself into a committee of the whole on said bill.

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Miles, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Underwood offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That this bill be made the special order for to-morrow evening at seven o'clock.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

Mr. O. Allen offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the bill entitled, "An act to establish the agricultural college of the State of New-York," be made the special order for Monday next, at seven o'clock, P. M.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

On motion of Mr. Higby,

The House then, at half-past seven o'clock, adjourned.

FRIDAY, MARCH 14, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Mandeville.

The minutes of yesterday were read and approved.

Mr. Speaker then announced the special order to be the third reading of bills.

Mr. Briggs moved to postpone the special order for five minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Briggs, and it was determined in the negative.

The Senate bill entitled, "An act to amend section six, of title two of the act entitled, 'An act to condense and amend the several acts relating to the village of Skaneateles,' passed April 8, 1850," was then read a third time and passed.

{ AYES 79 }
{ NOES 60 }

Those who voted in the affirmative are,

H. J. Allen	Campbell	Gleason	Miles	Stevens
Atwood	Chamberlin	Graham	Minier	Stewart
R. Babcock	G. Clark	Greene	Noble	Stratton
J. W. Babcock	J. F. Clark	H. Harris	Pardee	Speaker
Backhouse	Coffin	Heath	J. L. Perry	A. A. Thompson
Baker	Colvin	Higby	Rowe	O. C. Thompson
Barnes	Cooke	Ingersoll	Rumsey	Tuthill
Belknap	Corser	Kinsley	W. F. Russell	Underwood
J. Benedict	Davis	Kellogg	Rider	Ward
Bird	Dennison	Lake	Shall	Welden
Bettum	Farr	Lawyer	Sherman	Wheeler
Bowie	Ferris	Leggett	Shults	Whiteside
Bradley	Feller	Le Roy	Sickles	Wooster
Brayton	Fisk	Lesley	A. Smith	Wright
Briggs	Fordyce	McLouth	Snell	Yeomans
Cady	Gilbert	Macomber	Southwick	

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The Senate bill entitled, "An act to alter the commissioners' map of the city of Brooklyn," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	J. F. Clark	W. S. Gregory	Miles	Snell
R. Babcock	Coffin	L. Harris	Minier	Southwick
J. W. Babcock	Colvin	Hatch	Moss	Stevens
Backhouse	Cooke	Higby	Noble	Stewart
Baker	Corser	Hoppin	Pardee	Stilwell
Barnes	Davis	Ingersoll	J. L. Perry	Stratton
Belknap	Dennison	Jayne	Rouse	Speaker
J. Benediot	Doyle	Kinsley	Rowe	A. A. Thompson
Bird	Farr	Kellogg	Rumsey	O. C. Thompson
Bottom	Ferris	Lake	W. F. Russell	Tuthill
Bradley	Feller	Lawyer	Ryan	Wakeman
Brayton	Fisk	Leggett	Shall	Walden
Briggs	Fordyce	Le Roy	Sherman	Whiteside
Campbell	Gilbert	Lesley	Shultes	Wooster
Chamberlin	Gleason	McLouth	Sickles	Wright
G. Clark	Graham	Macomber	A. Smith	Yeomans 80

Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have concurred in the same without amendment.

The Senate bill entitled, "An act to amend the act entitled, 'An act to provide for sick and disabled seamen,' passed April 22, 1831, also to amend the several acts passed November 16, 1847, and April 11, 1849, amendatory of the said act," coming up for a third reading,

Mr. Townsend moved to recommit the same.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Townsend, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 81 }
{ NOES 06 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	Graham	McLouth	A. Smith
O. Allen	G. Clark	W. S. Gregory	Macomber	E. T. Smith
Atwood	J. F. Clark	H. Harris	Miles	Snell
R. Babcock	Coffin	Hatch	Noble	Southwick

J. W. Babcock	Colvin	Heath	Pardee	Stevens
Backhouse	Cooke	Horton	J. L. Perry	Stewart
Baker	Corser	Hoppin	Pool	Stilwell
Barnes	Davis	Humphrey	Rouse	Stratton
Belknap	Dennison	Jayne	Rowe	O. C. Thompson
J. Benedict	Elderkin	Kinsley	W. Russell	Tuthill
Blackstone	Farr	Kellogg	W. F. Russell	Wakeman
Bowne	Feller	Lawyer	Ryan	Ward
Bradley	Fitzhugh	Leggett	Shall	Welden
Brayton	Fordyce	Le Roy	Sherman	Wheeler
Briggs	Gilbert	Lesley	Shultes	Whiteside
Burroughs	Gleason	Lewis	Sickles	Yeomans
Campbell				

81

Those who voted in the negative are,

Bird	Swords	Speaker	Townsend	Varnum
Ferris				

6

Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have concurred in the same without amendment.

The bill entitled, "An act to provide for the erection of a fire proof building for the State library, and to provide for the better accommodation of the Legislature," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 71 }
{ NOES 13 }

Those who voted in the affirmative are,

H. J. Allen	Briggs	Fitzhugh	Leggett	E. T. Smith
O. Allen	Burroughs	Fordyce	Lesley	Stilwell
Atwood	Campbell	Gilbert	McLouth	Stratton
R. Babcock	G. Clark	Gleason	Maurice	Swords
Backhouse	Coffin	Graham	Miles	Speaker
Baker	Colvin	H. Harris	Noble	A. A. Thompson
Barnes	Cooke	Hatch	Pardee	O. C. Thompson
Belknap	Davis	Heath	E. Perry	Townsend
J. Benedict	Dennison	Hewitt	Pool	Tuthill
Bishop	Dougherty	Higby	Rowe	Underwood
Blackstone	Elderkin	Hoppin	Rumsey	Whiteside
Bottum	Farr	Ingersoll	Ryan	Wooster
Bowne	Ferris	Kellogg	Sherman	Wright
Bradley	Feller	Lawyer	Shultes	Yeomans
Brayton				

71

Those who voted in the negative are,

J. W. Babcock	Le Roy	Rouse	A. Smith	Stewart
J. F. Clark	Minier	W. F. Russell	Stevens	Ward
Jayne	Moss	Sickles		

13

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Speaker announced the following joint select committee on the invitation of the proprietors of the people's line of steamboats: Messrs. Greene, Burroughs, Lyon, Swords and W. S. Gregory.

The bill entitled, "An act to incorporate the Thistle benevolent association of the city of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Colvin	Horton	Noble	Stevens
O. Allen	Cooke	Hoppin	Pardee	Stewart
J. W. Babcock	Corser	Humphrey	J. L. Perry	Stratton
Backhouse	Dennison	Ingersoll	Pool	Swords
Baker	Dougherty	Jayne	Rouse	Speaker
Barnes	Doyle	Kinsley	Rowe	O. C. Thompson
Belknap	Elderkin	Kellogg	W. F. Russell	Tuthill
J. Benedict	Farr	Lawyer	Ryan	Underwood
Bishop	Ferris	Leggett	Shall	Varnum
Blackstone	Feller	Le Roy	Shultes	Wakeman
Bowne	Fordyce	McLouth	Sickles	Ward
Brayton	Graham	Macomber	A. Smith	Welden
Briggs	H. Harris	Maurice	E. T. Smith	Whiteside
G. Clark	Hatch	Minier	Snell	Wooster
J. F. Clark	Heath	Moss	Southwick	Yeomans
Coffin	Higby			

77

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act in relation to the sheriff and clerk in the county of Kings," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Campbell	Hatch	Maurice	E. T. Smith
O. Allen	G. Clark	Higby	Minier	Snell
Atwood	J. F. Clark	Horton	Moss	Southwick
R. Babcock	Coffin	Hoppin	Noble	Stewart
J. W. Babcock	Colvin	Humphrey	Pardee	Stilwell
Backhouse	Cooke	Ingersoll	E. Perry	Stratton
Barnes	Corser	Jayne	Pool	Swords
Belknap	Dennison	Kinsley	Rouse	A. A. Thompson
J. Benedict	Dougherty	Kellogg	Rowe	O. C. Thompson
Blackstone	Farr	Lawyer	Rumsey	Townsend
Bottum	Ferris	Leggett	W. F. Russell	Tuthill
Bowne	Feller	Le Roy	Ryan	Underwood
Bradley	Fitzhugh	Lesley	Shultes	Whiteside

Brayton	Fordyce	McLouth	Sickles	Wooster
Briggs	Gilbert	Macomber	A. Smith	Yeomans
Burroughs	Gleason			

77

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The Senate bill entitled, "An act to amend the charter of the city of Schenectady," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Burroughs	Gilbert	McLouth	Southwick
O. Allen	Campbell	Gleason	Macomber	Stevens
Atwood	Chamberlin	Graham	Maurice	Stewart
R. Babcock	G. Clark	A. A. Gregory	Minier	Stillwell
Backhouse	J. F. Clark	Hatch	Moss	Stratton
Baker	Coffin	Heath	Noble	Swords
Barnes	Colvin	Higby	Pardee	A. A. Thompson
Belknap	Cooke	Humphrey	E. Perry	O. C. Thompson
J. Benedict	Congdon	Ingersoll	Pool	Townsend
Bird	Corser	Jayne	W. Russell	Tuthill
Bishop	Davis	Kinsley	W. E. Russell	Underwood
Blackstone	Dennison	Kellogg	Ryan	Ward
Bottum	Dewey	Lake	Shultes	Welden
Bowne	Farr	Lawyer	Sickles	Wheeler
Bradley	Ferris	Le Roy	A. Smith	Whiteside
Brayton	Feller	Lesley	E. T. Smith	Wooster
Briggs	Fitzhugh	Lewis	Snell	Yeomans

85

Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have concurred in the same without amendment.

The bill entitled, "An act to amend the charter of the Cayuga and Susquehannah railroad company, and to extend the powers of said company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

R. Babcock	Coffin	Horton	Pardee	Stilwell
J. W. Babcock	Colvin	Hoppin	E. Perry	Stratton
Baker	Cooke	Humphrey	Pool	Swords
Barnes	Corser	Ingersoll	Rowe	A. A. Thompson
J. Benedict	Davis	Jayne	Rumsey	O. C. Thompson
Bird	Dennison	Kinsley	W. Russell	Townsend

Backhouse	Doyle	Kellogg	W. F. Russell	Tuthill
Bottum	Elderkin	Lake	Ryan	Underwood
Bradley	Farr	Lawyer	Shall	Wakeman
Brayton	Ferris	Leggett	Shultes	Welden
Briggs	Feller	Le Roy	A. Smith	Wheeler
Burroughs	Fitzhugh	Lewis	E. T. Smith	Whiteside
Campbell	Graham	McLouth	Snell	Wooster
Chamberlin	H. Harris	Macomber	Southwick	Wright
G. Clark	Hatch	Moss	Stevens	Yeomans
J. F. Clark	Higby	Noble	Stewart	

79

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act for the incorporation of building, mutual loan and accumulating fund associations," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 78 }
{ NOES 12 }

Those who voted in the affirmative are,

H. J. Allen	Coffin	Heath	Moss	Stevens
O. Allen	Colvin	Higby	Noble	Stewart
Atwood	Cooke	Horton	E. Perry	Stilwell
E. Babcock	Congdon	Hoppin	Pool	Stratton
J. W. Babcock	Corser	Ingersoll	Rider	O. C. Thompson
Barnes	Davis	Jayne	Rowe	Townsend
Belknap	Dougherty	Kinsley	Rumsey	Tuthill
J. Benedict	Doyle	Kellogg	W. Russell	Underwood
Bird	Elderkin	Lawyer	Shall	Wakeman
Bishop	Farr	Leggett	Shultes	Ward
Bottum	Feller	Le Roy	Sickles	Welden
Bowne	Fitzhugh	Lesley	A. Smith	Whiteside
Bradley	Fordyce	Lewis	E. T. Smith	Wooster
Briggs	Gleason	Lyon	Snell	Wright
Burroughs	H. Harris	Maurice	Southwick	Yeomans
J. F. Clark	Hatch	Miles		

78

Those who voted in the negative are,

Backhouse	G. Clark	Humphrey	Pardee	Sherman
Blackstone	Ferris	Macomber	Ryan	Swords
Brayton	Graham			

12

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to authorise the common council of the city of Oswego to raise money by tax to build a fire proof county clerk's office," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Bushnell	Gleason	Lewis	Shultes
O. Allen	Campbell	W. S. Gregory	McLouth	A. Smith
Atwood	Chamberlin	Greene	Macomber	E. T. Smith
R. Babcock	J. F. Clark	L. Harris	Maurice	Snell
J. W. Babcock	Coffin	Hatch	Miles	Southwick
Backhouse	Colvin	Heath	Minier	Stevens
Baker	Cooke	Higby	Moss	Stewart
Barnes	Congdon	Horton	Noble	Stilwell
Belknap	Corser	Hoppin	Pardee	Stratton
J. Benedict	Davis	Humphrey	E. Perry	O. C. Thompson
T. H. Benedict	Dougherty	Ingersoll	Pool	Townsend
Bishop	Doyle	Jayne	Rouse	Tuthill
Blackstone	Elderkin	Kinsley	Rowe	Underwood
Bottum	Farr	Kellogg	Rumsey	Wakeman
Bowne	Ferris	Lake	W. F. Russell	Welden
Bradley	Feller	Langdon	Ryan	Whiteside
Brayton	Fitzhugh	Lawyer	Shall	Wright
Briggs	Fordyce	Le Roy	Sherman	Yeomans
Burroughs	Gilbert	Lesley		

93

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to provide for the appraisal and payment of canal damages to Charles Ehle," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 86 }
{ NOES 04 }

Those who voted in the affirmative are,

H. J. Allen	Coffin	Hatch	Miles	E. T. Smith
Atwood	Colvin	Heath	Noble	Snell
J. W. Babcock	Cooke	Higby	Pardee	Southwick
Backhouse	Corser	Horton	J. L. Parry	Stevens
Barnes	Davis	Hoppin	Pool	Stewart
J. Benedict	Dougherty	Ingersoll	Rider	Stilwell
T. H. Benedict	Doyle	Jayne	Robinson	Stratton
Bird	Elderkin	Kinsley	Rouse	O. C. Thompson
Bishop	Farr	Kellogg	Rowe	Townsend
Blackstone	Ferris	Lake	Ramsey	Tuthill
Bottum	Fitzhugh	Lawyer	W. F. Russell	Underwood
Bowne	Fordyce	Leggett	Ryan	Wakeman
Bradley	Gilbert	Lesley	Shall	Welden
Brayton	Gleason	Lyon	Sherman	Wheeler
Burroughs	W. S. Gregory	McLouth	Shultes	Whiteside
Campbell	Greene	Macomber	Sickles	Wright
G. Clark	H. Harris	Maurice	A. Smith	Yeomans
J. F. Clark				

86

Those who voted in the negative are,

O. Allen	Briggs	Feller	Varnum
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4

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to regulate the wharfage on lighters in the cities of New-York and Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 67 }
{ NOES 11 }

Those who voted in the affirmative are,

H. J. Allen	Bradley	Fordyce	Le Roy	Shultes
O. Allen	Brayton	Gilbert	Lesley	Sickles
J. W. Babcock	Briggs	Gleason	McLouth	A. Smith
Backhouse	Burroughs	Heath	Macomber	Snell
Baker	J. F. Clark	Hewitt	Maurice	Southwick
Barnes	Coffin	Hoppin	Miles	Stevens
Belknap	Colvin	Humphrey	Noble	Stratton
J. Benedict	Cooke	Ingersoll	Pardee	Townsend
T. H. Benedict	Corser	Kinsley	E. Perry	Tutill
Bird	Davis	Kellogg	Rouse	Varnum
Bishop	Dennison	Lake	Rowe	Wheeler
Blackstone	Douglass	Langdon	Rumsey	Whiteside
Bottom	Farr	Lawyer	Ryan	Yeomans
Bowne	Feller			

67

Those who voted in the negative are,

Dougherty	Horton	Lewis	Pool	Stilwell
Elderkin	Leggett	Minier	Stewart	Swords
Higby				

11

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to authorise the city of Oswego to borrow money," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 84 }
{ NOES 01 }

Those who voted in the affirmative are,

O. Allen	Coffin	Hoppin	Moss	Snell
Atwood	Colvin	Humphrey	Noble	Southwick
J. W. Babcock	Corser	Ingersoll	Pardee	Stevens
Backhouse	Dennison	Jayne	E. Perry	Stewart
Barnes	Doyle	Kellogg	Pool	Stilwell
Belknap	Elderkin	Langdon	Rider	Swords
T. H. Benedict	Farr	Lawyer	Rouse	O. C. Thompson
Bird	Ferris	Leggett	Rowe	Townsend

Bishop	Feller	Le Roy	Ramsey	Tuthill
Blackstone	Fitzhugh	Lesley	W. Russell	Underwood
Bottum	Fordyce	Lewis	W. F. Russell	Wakeman
Bradley	Gilbert	Lyon	Ryan	Wheeler
Brayton	Gleason	McLouth	Sherman	Whiteside
Briggs	Greene	Macomber	Shultes	Wooster
Burroughs	H. Harris	Maurice	Sickles	Wright
Campbell	Hewit	Miles	A. Smith	Yeomans
J. F. Clark	Higby	Minier	E. T. Smith	

84

For the negative,

H. J. Allen

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend an act to provide for the incorporation and regulation of telegraph companies, passed April 12, 1848," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 74 }
{ NOES 09 }

Those who voted in the affirmative are,

H. J. Allen	Briggs	Fitzhugh	Langdon	Sickles
O. Allen	Campbell	Fordyce	Lawyer	A. Smith
R. Babcock	J. F. Clark	Gilbert	Leggett	Southwick
J. W. Babcock	Coffin	Gleason	Le Roy	Stevens
Backhouse	Colvin	W. S. Gregory	Lesley	Stewart
Baker	Cooke	H. Harris	McLouth	Stilwell
Barnes	Corser	Hatch	Maurice	Swords
Belknap	Davis	Hewit	Moss	Townsend
J. Benedict	Dennison	Hoppin	Noble	Tuthill
Bird	Dougherty	Humphrey	Pardee	Underwood
Bishop	Doyle	Ingersoll	E. Perry	Wakeman
Blackstone	Elderkin	Jayne	Pool	Whiteside
Bottum	Farr	Kinsley	Rouse	Wooster
Bowne	Ferris	Kellogg	Ramsey	Yeomans
Brayton	Feller	Lake	Shultes	

74

Those who voted in the negative are,

Bradley	Macomber	W. F. Russell	E. T. Smith	Welden
Higby	Minier	Ryan	O. C. Thompson	

9

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend an act to exempt for sale on execution the homestead of a householder having a family," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assambly not voting in favor thereof, as follows :

{ AYES 86 }
{ NOES 34 }

Those who voted in the affirmative are,

O. Allen	Campbell	Hatch	McLouth	Southwick
Atwood	J. F. Clark	Heath	Maurice	Stevens
R. Babcock	Colvin	Horton	Rowe	Stilwell
J. Benedict	Elderkin	Hoppin	W. Russell	Stratton
Bird	Farr	Ingersoll	Sickles	Swords
Bottum	Ferris	Jayne	A. Smith	Underwood
Bradley	Fitzhugh	Kinsley	Snell	Welden
Burroughs				

86

Those who voted in the negative are,

Baker	Feller	Le Roy	E. Perry	O. C. Thompson
Barnes	Gleason	Macomber	Pool	Tuthill
Belknap	W. S. Gregory	Miles	Rumsey	Varnum
Bishop	Hewitt	Miner	W. F. Russell	Whiteside
Bowen	Highy	Moss	Ryan	Wright
Briggs	Lake	Noble	Shulser	Yeomans
Doyle	Lawyer	Pardee	E. T. Smith	

34

Mr. Briggs moved that the vote on the passage of this bill be reconsidered.

Mr. Underwood moved to lay said motion on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Underwood, and it was determined in the affirmative.

The bill entitled, "An act to enable Enoch Collins to take hold and convey real estate in this State," coming up for a third reading,

Mr. Varnum moved to recommit the same.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Varnum, and it was determined in the affirmative.

Mr. Varnum moved to reconsider the resolution to recommit.

Mr. J. Benedict moved to lay the motion to reconsider on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. J. Benedict, and it was determined in the affirmative.

The bill entitled, "An act to amend title sixteen, chap. eight, part third, of the Revised Statutes, entitled, 'Of proceedings for the draining of swamps, marshes and other low lands.'" was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	G. Clark	W. S. Gregory	McLouth	E. T. Smith
Atwood	J. F. Clark	Greene	Maurice	Snell

R. Babcock	Coffin	H. Harris	Miles	Southwick
J. W. Babcock	Colvin	Hatch	Minier	Stevens
Baker	Cooke	Hewit	Moss	Stewart
Barnes	Corser	Horton	Noble	Stilwell
Belknap	Davis	Hoppin	Pardoe	Swords
J. Benedict	Dennison	Humphrey	Pool	O. C. Thompson
Bird	Dougherty	Ingersoll	Rouse	Townsend
Bishop	Elderkin	Jayne	Rowe	Tutbill
Blackstone	Farr	Kellogg	Rumsey	Underwood
Bottum	Ferris	Langdon	W. F. Russell	Wakeman
Bowne	Feller	Lawyer	Shall	Welden
Bradley	Fitzhugh	Leggett	Shultes	Whiteside
Brayton	Gilbert	Le Roy	Sickles	Wright
Briggs	Gleason	Lesley	A. Smith	Yenmans
Campbell	Graham	Lewis		

83

Ordered, That the Clerk return the said bill to the Senate, and request their concurrence in the same.

A message from the Senate was received and read, informing that they had passed without amendment, the bills entitled, as follows:

"An act to increase the number of managers of the life savings benevolent association of New-York."

"An act to repeal an act relating to highways in the town of Greenburgh."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act to provide for the appraisal and payment of canal damages to Josiah S. Kellogg, executor of the estate of Jacob Kellogg, deceased."

Mr. Speaker put the question whether the House would agree to the Senate's amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Burroughs	Gilbert	Miles	Southwick
O. Allen	G. Clark	Gleason	Noble	Stevens
Atwood	J. F. Clark	Graham	Pardoe	Stewart
R. Babcock	Coffin	Greene	E. Perry	Stilwell
J. W. Babcock	Colvin	H. Harris	Pool	Stratton
Baker	Cooke	Heath	Rouse	Swords
Barnes	Corser	Hewit	Rumsey	O. C. Thompson
Belknap	Dennison	Hoppin	W. Russell	Townsend
J. Benedict	Dougherty	Ingersoll	Ryan	Tutbill
Bird	Boyle	Jayne	Shall	Underwood
Bishop	Farr	Kinsley	Shultes	Varnum
Blackstone	Ferris	Kellogg	Sickles	Wakeman
Bottum	Feller	Leggett	A. Smith	Welden
Bowne	Fisk	Lesley	E. T. Smith	Whiteside
Bradley	Fitzhugh	McLeish	Snell	Wright
Brayton	Fordyce	Maurice		Yenmans
Briggs				

Ordered, That the Clerk return the said bill to the Senate, with a message informing, that the Assembly have concurred in the said amendments, and amended the same accordingly.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act to authorise the supervisors of the county of Oneida, to levy a tax of fifteen thousand dollars, for the purpose of building a court house and jail in the city of Utica."

Mr. Speaker put the question whether the House would agree to the Senate's amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Ouffin	H. Harris	Miles	E. T. Smith
O. Allen	Colvin	L. Harris	Miner	Southwick
Atwood	Corser	Hatch	Moss	Stevens
R. Babcock	Davis	Heath	Noble	Stewart
J. W. Babcock	Dewey	Hawit	Pardoe	Stillwell
Baker	Douglass	Hoppin	E. Perry	Stratton
Barnes	Doyle	Hataphrey	Peel	Swends
Belknap	Elderkin	Ingersoll	Rouse	A. A. Thompson
J. Benedict	Farr	Jayne	Rowe	G. C. Thompson
Bird	Ferris	Kinsley	Rumsey	Townsend
Bishop	Feller	Kellogg	W. Russell	Tuthill
Blackstone	Fitzhugh	Lawyer	W. F. Russell	Underwood
Bottum	Fordyce	Leggett	Ryan	Wakeman
Bowne	French	Le Roy	Shall	Wheeler
Bradley	Gilbert	Lealey	Sherman	Whiteside
Brayton	Gleason	McLouth	Shultes	Wooster
Briggs	Graham	Macomber	Sickles	Wright
G. Clark	W. S. Gregory	Maurice	A. Smith	Yeomans
J. P. Clark	Greene			

Ordered, That the Clerk return the said bill to the Senate, with a message informing, that the Assembly have concurred in the said amendments, and amended the same accordingly.

Mr. Tuthill moved to reconsider the vote taken to day on the act entitled, "An act to regulate the rates of wharfage on lighters, in the cities of New-York and Brooklyn."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Tuthill, and it was determined in the negative.

The bill entitled, "An act in relation to the village of Holley," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Barroughs	Gilbert	Leggett	A. Smith
O. Allen	Bushnell	Gleason	Le Roy	Snell
Atwood	Campbell	Graham	Lesley	Southwick
R. Babcock	G. Clark	W. S. Gregory	McLouth	Stevens
J. W. Babcock	J. F. Clark	Greene	Macomber	Stewart
Backhouse	Coffin	H. Harris	Maurice	Stratton
Baker	Colvin	L. Harris	Miles	A. A. Thompson
Barnes	Corser	Hatch	Minier	O. C. Thompson
Belknap	Davis	Heath	Moss	Townsend
J. Benedict	Dennison	Hewit	Pardee	Tuthill
Bird	Douglass	Hoppin	E. Perry	Underwood
Bishop	Doyle	Humphrey	Pool	Wakeman
Blackstone	Elderkin	Ingersoll	Rouse	Welden
Bottum	Farr	Jayne	Rowe	Whiteside
Bowne	Ferris	Kinsley	Rumsey	Wooster
Bradley	Feller	Kellogg	W. Russell	Wright
Brayton	Fitzhugh	Lake	W. F. Russell	Yeomans
Briggs	Fordyce	Lawyer	Shultes	

89

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act in relation to the powers of the late court of chancery and supreme court in equity in certain cases," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Coffin	L. Harris	Miles	Southwick
O. Allen	Colvin	Hatch	Moss	Stevens
Atwood	Corser	Heath	Noble	Stewart
R. Babcock	Davis	Hewit	Pardee	Stilwell
J. W. Babcock	Dennison	Hoppin	E. Perry	Stratton
Backhouse	Dougherty	Humphrey	Pool	Swords
Barnes	Doyle	Ingersoll	Rouse	A. A. Thompson
Belknap	Elderkin	Jayne	Rowe	O. C. Thompson
J. Benedict	Farr	Kinsley	Rumsey	Townsend
Bishop	Ferris	Kellogg	W. F. Russell	Tuthill
Bottum	Feller	Lake	Ryan	Underwood
Bowne	Fitzhugh	Lawyer	Shall	Varnum
Bradley	Fordyce	Leggett	Sherman	Wakeman
Briggs	Gilbert	Le Roy	Shultes	Welden
Barroughs	Gleason	Lesley	Sickles	Whiteside
Campbell	Graham	McLouth	A. Smith	Wooster
G. Clark	W. S. Gregory	Macomber	E. T. Smith	Wright
J. F. Clark	H. Harris	Maurice	Snell	Yeomans

90

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The Senate bill entitled, "An act to authorise the Butternuts and Oxford turnpike company, to abandon a part of their road," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 60 }
{ NOES 24 }

Those who voted in the affirmative are,

Atwood	Corser	Higby	Miles	E. T. Smith
R. Babcock	Dennison	Ingersoll	Minier	Stevens
J. W. Babcock	Doyle	Kinsley	Pardee	Stewart
Barnes	Farr	Lake	E. Perry	Stilwell
Belknap	Fordyce	Lawyer	Rider	Stratton
J. Benedict	Gilbert	Leggett	Rumsey	Swords
Bottum	Gleason	Le Roy	W. Russell	O. C. Thompson
Bowne	Graham	Lesley	W. F. Russell	Townsend
Burroughs	W. S. Gregory	Lewis	Shall	Varnum
J. F. Clark	Greene	McLouth	Shultes	Wooster
Colvin	H. Harris	Macomber	Sickles	Wright
Congdon	Heath	Maurice	A. Smith	Yeomans 60

Those who voted in the negative are,

O. Allen	Coffin	Hewit	Pool	A. A. Thompson
Bishop	Cooke	Hoppin	Rowe	Underwood
Blackstone	Ferris	Kellogg	Sherman	Ward
Bradley	Fitzhugh	Moss	Snell	Whiteside
Campbell	Hatch	Noble	Southwick	24

Mr. Underwood moved that the vote on the passage of this bill be reconsidered.

Mr. J. Benedict moved to lay the motion to reconsider on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. J. Benedict and it was determined in the affirmative.

The House then took a recess until 4 o'clock.

FOUR O'CLOCK P. M.

The House again met.

The bill entitled, "An act to authorise the supervisor and justices of the peace of the town of Newtown, Queens co., to designate two places in that town to be used for the confinement of prisoners," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 66 }
{ NOES 00 }

Those who voted in the affirmative are,

R. Babcock	Coffin	Jayne	E. Perry	Stillwell
J. W. Babcock	Cooke	Kinsley	Pool	Stratton
Belknap	Corser	Kellogg	Rowe	Speaker
J. Benedict	Dougherty	Lawyer	Rumsey	A. A. Thompson
Bird	Fordyce	Leggett	W. F. Russell	O. C. Thompson
Bishop	Gleason	Le Roy	Ryan	Tuthill
Bowne	H. Harris	Lesley	Shall	Varnum
Bradley	Hatch	Lewis	Shultes	Wakeman
Brayton	Heath	McLouth	Sickles	Ward
Briggs	Higby	Macomber	Snell	Welden
Bushnell	Hinds	Miles	Southwick	Wheeler
Campbell	Horton	Minier	Stevens	Wright
Chamberlin	Hoppin	Pardee	Stewart	Yeomans
G. Clark				

66

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend an act entitled, 'An act to extend the charter of the firemen of the city of New-York,' passed April 16, 1831." was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

Atwood	G. Clark	H. Harris	Macomber	Snell
R. Babcock	J. F. Clark	Hatch	Minier	Southwick
J. W. Babcock	Coffin	Heath	Noble	Stevens
Baker	Colvin	Higby	Pardee	Stewart
Belknap	Cooke	Horton	E. Perry	Stratton
J. Benedict	Corser	Hoppin	Pool	Swords
Bird	Dennison	Ingersoll	Rouse	Speaker
Bishop	Dougherty	Jayne	Rowe	A. A. Thompson
Bottum	Doyle	Kinsley	Rumsey	O. C. Thompson
Bowne	Farr	Kellogg	W. F. Russell	Tuthill
Bradley	Ferris	Lawyer	Shall	Varnum
Brayton	Fordyce	Leggett	Sherman	Wakeman
Briggs	Gilbert	Le Roy	Shultes	Wheeler
Bushnell	Gleason	Lesley	Sickles	Wright
Campbell	Graham	Lewis	E. T. Smith	Yeomans
Chamberlin	Greene	McLouth		

78

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The Senate bill entitled, "An act to amend the charter of the village of Dundee," having come up for a third reading,

Mr. Bishop moved to recommit the same.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Bishop, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 78 }
{ NOES 03 }

Those who voted in the affirmative are,

H. J. Allen	G. Clark	Heath	Pardoe	Southwick
O. Allen	J. F. Clark	Higby	E. Perry	Stevens
Arwood	Coffin	Horton	Pool	Stewart
R. Babcock	Colvin	Hoppin	Rouse	Stratton
J. W. Babcock	Cooke	Ingersoll	Rowe	Swords
Baker	Corser	Jayne	Rumsey	Speaker
Barnes	Dennison	Kinsley	W. F. Russell	A. A. Thompson
Belknap	Dougherty	Lawyer	Ryan	O. C. Thompson
J. Benedict	Doyle	Leggett	Shall	Tuthill
Bird	Farr	Le Roy	Sherman	Varnum
Blackstone	Feller	Lesley	Shultes	Wakeman
Bradley	Fordyce	Lewis	Sickles	Welden
Brayton	Gleason	McLouth	A. Smith	Wheeler
Briggs	Greene	Macomber	E. T. Smith	Wright
Bushnell	H. Harris	Miles	Snell	Yeomans
Chamberlin	Hatch	Moss		

78

Those who voted in the negative are,

Bishop Ferris Kellogg

Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have concurred in the same without amendment.

The bill entitled, "An act to incorporate the New-York and Montgomery mining company," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows,

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	H. Harris	Miles	E. T. Smith
O. Allen	G. Clark	Hatch	Minier	Snell
Arwood	J. F. Clark	Heath	Moss	Southwick
R. Babcock	Coffin	Higby	Noble	Stevens
J. W. Babcock	Colvin	Horton	Pardoe	Stewart
Baker	Cooke	Hoppin	E. Perry	Stilwell
Barnes	Corser	Ingersoll	Pool	Stratton
Belknap	Dennison	Jayne	Rouse	Swords
J. Benedict	Dougherty	Kinsley	Rowe	Speaker
Bird	Doyle	Kellogg	Rumsey	A. A. Thompson
Bishop	Farr	Lawyer	W. F. Russell	O. C. Thompson
Blackstone	Ferris	Leggett	Ryan	Tuthill
Bottum	Feller	Le Roy	Shall	Varnum

Bowne	Fordyce	Lesley	Sherman	Wakeman
Bradley	Gilbert	Lewis	Shalton	Welden
Brayton	Gleason	McLouth	Sickles	Wright
Briggs	W. S. Gregory	Macomber	A. Smith	Yeomans

85

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to appropriate money to the society for the reformation of juvenile delinquents in the city of New-York, and to enable them to erect new buildings," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 89 }
{ NOES 02 }

Those who voted in the affirmative are,

H. J. Allen	Campbell	Greene	Miles	Southwick
O. Allen	Chamberlin	H. Harris	Minier	Stevens
Atwood	G. Clark	Hatch	Noble	Stilwell
R. Babcock	J. F. Clark	Hewitt	Pardee	Swords
J. W. Babcock	Coffin	Higby	E. Perry	Speaker
Baker	Colvin	Horton	Pool	A. A. Thompson
Barnes	Cooke	Hoppin	Rouse	O. C. Thompson
Belknap	Corser	Ingersoll	Rowe	Townsend
J. Benedict	Dennison	Jayne	Rumsey	Tuthill
Bird	Doughterty	Kinsley	W. F. Russell	Underwood
Bishop	Farr	Kellogg	Ryan	Varnum
Blackstone	Ferris	Lake	Shall	Wakeman
Bottum	Faller	Lawyer	Sherman	Ward
Bowne	Fordyce	Leggett	Shulton	Welden
Bradley	Gilbert	Lesley	Sickles	Wheeler
Brayton	Gleason	Lewis	A. Smith	Wright
Briggs	Graham	McLouth	E. T. Smith	Yeomans
Bushnell	W. S. Gregory	Macomber	Snell	

89

Those who voted in the negative are,

Le Roy Stratton

2

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to repeal an act entitled, 'An act to amend an act for the more effectual prevention of fires in the city of New-York, and to amend the acts heretofore passed for that purpose,' passed April 4, 1849, and to amend an act entitled, 'An act for the more effectual prevention of fires in the city of New-York, and to amend the acts heretofore passed for that purpose,' passed March 7, 1849," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	Greene	Macomber	E. T. Smith
O. Allen	G. Clark	H. Harris	Miles	Snell
Atwood	J. F. Clark	Hatch	Minier	Southwick
R. Babcock	Coffin	Heath	Moss	Stevens
J. W. Babcock	Colvin	Higby	Noble	Swords
Baker	Cooke	Horton	Pardee	Speaker
Barnes	Corser	Hoppin	E. Perry	A. A. Thompson
Belknap	Dannison	Ingersoll	J. L. Perry	O. C. Thompson
J. Benedict	Dougherty	Jayne	Pool	Tuthill
Bird	Doyle	Kinsley	Rouse	Underwood
Bishop	Farr	Kellogg	Rowe	Varnum
Blackstone	Ferris	Lake	Ramsey	Wakeman
Bottom	Feller	Lawyer	W. F. Russell	Ward
Bowae	Gilbert	Leggett	Ryan	Welden
Bradley	Gleason	Le Roy	Shall	Wheeler
Brayton	Graham	Lesley	Sherman	Wright
Briggs	W. S. Gregory	McLouth	Shultes	Yeomans
Bushnell				

86

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to authorize the commissioners of the land office to sell certain lands belonging to the people of this State, situated in the city of Syracuse, and to purchase other lands," having come up for a third reading.

Mr. Le Roy moved that it be recommitted.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Le Roy, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 87 }
{ NOES 01 }

Those who voted in the affirmative are,

H. J. Allen	Bushnell	W. S. Gregory	Macomber	A. Smith
O. Allen	Campbell	Greene	Miles	E. T. Smith
Atwood	Chamberlin	H. Harris	Minier	Snell
R. Babcock	G. Clark	Hatch	Moss	Southwick
J. W. Babcock	J. F. Clark	Heath	Noble	Stevens
Baker	Coffin	Higby	Pardee	Stillwell
Barnes	Colvin	Horton	E. Perry	Speaker
Belknap	Corser	Hoppin	J. L. Perry	A. A. Thompson
J. Benedict	Dannison	Ingersoll	Pool	O. C. Thompson
T. H. Benedict	Dougherty	Jayne	Rouse	Townsend
Bird	Doyle	Kinsley	Rowe	Tuthill
Bishop	Farr	Kellogg	Ramsey	Underwood

Blackstone	Ferris	Lake	W. F. Russell	Varnum
Bottum	Feller	Lawyer	Ryan	Welden
Bowne	Fordyce	Leggett	Sherman	Wheeler
Bradley	Gilbert	Lesley	Shultes	Wright
Brayton	Gleason	McLouth	Sickles	Yeomans
Briggs	Graham			

87

For the negative,

Le Roy

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend an act entitled, 'An act relating to sales by auction in the city of Albany,' passed March 16, 1850," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Campbell	W. S. Gregory	Macomber	A. Smith
O. Allen	Chamberlin	Greene	Miles	E. T. Smith
Arwood	G. Clark	H. Harris	Miner	Snell
R. Babcock	J. P. Clark	Hatch	Nelson	Southwick
J. W. Babcock	Coffin	Heath	Noble	Stevens
Baker	Colvin	Higby	Pardee	Stewart
Barnes	Cooke	Hoppin	E. Perry	Stratton
Belknap	Corser	Humphrey	J. L. Perry	Swords
J. Benedict	Davis	Ingersoll	Pool	Speaker
Bird	Donaherty	Kinsley	Route	A. A. Thompson
Bishop	Farr	Kellogg	Rowe	O. C. Thompson
Blackstone	Ferris	Lake	Rumsey	Townsend
Bottum	Feller	Lawyer	W. F. Russell	Tuthill
Bowne	Fordyce	Leggett	Ryan	Welden
Bradley	Gilbert	Le Roy	Sherman	Wheeler
Brayton	Gleason	Lesley	Shultes	Wright
Briggs	Graham	McLouth	Sickles	Yeomans
Bushnell				

88

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act for the relief of contractors on the suspended work of the Oswego canal," coming up for a third reading.

On motion of Mr. Sherman, and by unanimous consent,

Said bill was amended as follows: strike out all after the word "department" in section four and insert "out of any money in the treasury applicable to such purposes."

The bill as amended was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	Gleason	Macomber	Sickles
Atwood	G. Clark	Graham	Miles	A. Smith
R. Babcock	J. F. Clark	W. S. Gregory	Minier	E. T. Smith
J. W. Babcock	Coffin	Greene	Pardee	Snell
Baker	Colvin	Hatch	E. Perry	Southwick
Barnes	Cooke	Heath	J. L. Perry	Stevens
Belknap	Corser	Higby	Pool	Stilwell
J. Benedict	Davis	Hoppin	Rockwell	Stratton
Bird	Dennison	Humphrey	Rouse	Swords
Bishop	Dougherty	Ingersoll	Rowe	Speaker
Blackstone	Doyle	Kinsley	Rumsey	O. C. Thompson
Bottum	Farr	Lake	W. F. Russell	Tuthill
Bowne	Ferris	Lawyer	Ryan	Underwood
Bradley	Feller	Le Roy	Shall	Wheeler
Brayton	Fitzhugh	Lesley	Sherman	Wright
Briggs	Fordyce	Lewis	Shults	Yeomans
Campbell	Gilbert	McLouth		83

Those who voted in the negative are,

O. Allen Varnum

2

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act authorizing the canal appraisers to ascertain and award damages in certain cases," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Campbell	Fordyce	Macomber	E. T. Smith
O. Allen	Chamberlin	Gilbert	Miles	Snell
Atwood	G. Clark	Gleason	Moss	Southwick
R. Babcock	J. F. Clark	Graham	Pardee	Stevens
J. W. Babcock	Coffin	W. S. Gregory	E. Perry	Stewart
Baker	Colvin	Greene	J. L. Perry	Stratton
Barnes	Cooke	Heath	Pool	Swords
Belknap	Corser	Hoppin	Rouse	Speaker
J. Benedict	Davis	Ingersoll	Rowe	A. A. Thompson
Bird	Dennison	Kinsley	Rumsey	O. C. Thompson
Blackstone	Dougherty	Kellogg	W. F. Russell	Tuthill
Bottum	Doyle	Lake	Ryan	Underwood
Bowne	Farr	Lawyer	Shall	Wheeler
Bradley	Ferris	Loggett	Sherman	Wright
Brayton	Feller	Lesley	Sickles	Yeomans
Briggs	Fitzhugh	McLouth	A. Smith	79

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. O. Allen moved to reconsider the vote just taken.

Mr. O. Allen moved to lay said motion on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen to reconsider, and it was determined in the negative.

{ AYES 45 }
{ NOES 21 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

O. Allen	Bushnell	Fitzhugh	Lewis	Snell
R. Babcock	J. F. Clark	Fordyce	Minier	Southwick
J. W. Babcock	Coffin	Gleason	Moss	Stratton
Barnes	Colvin	H. Harris	Pool	Swords
Belknap	Cooke	Hatch	Robinson	Townsend
T. H. Benedict	Corser	Kellogg	Sherman	Tuthill
Bird	Doyle	Lake	Shultes	Underwood
Blackstone	Farr	Lawyer	A. Smith	Varnum
Briggs	Ferris	Lesley	E. T. Smith	Wright 45

Those who voted in the negative are,

J. Benedict	Ingersoll	Pardoe	Ramsey	Stewart
Brayton	Leggett	E. Perry	Shall	Speaker
Feller	Macomber	Rouse	Sickles	A. A. Thompson
Higby	Noble	Rowe	Stevens	O. C. Thompson 21
Hoppin				

The bill entitled, "An act to authorize the appraisal and payment of canal damages to Robert Wilson," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 69 }
{ NOES 23 }

Those who voted in the affirmative are,

H. J. Allen	Coffin	W. S. Gregory	Macomber	Southwick
O. Allen	Colvin	Hatch	Miles	Stevens
Atwood	Corser	Higby	Minier	Stewart
J. W. Babcock	Davis	Horton	Pardoe	Stratton
Baker	Dennison	Humphrey	E. Perry	Swords
Barnes	Dewey	Ingersoll	Pool	A. A. Thompson
Belknap	Doyle	Kinsley	Rouse	O. C. Thompson
J. Benedict	Farr	Kellogg	Ramsey	Tuthill
Bird	Ferris	Lawyer	W. F. Russell	Underwood
Blackstone	Feller	Leggett	Shall	Welden

Bottum	Fordyce	Le Roy	Shaltes	Wheeler
Bradley	Gilbert	Lesley	Sickles	Wright
Brayton	Gleason	Lewis	A. Smith	Yeomans
J. F. Clark	Graham	McLouth	E. T. Smith	69

Those who voted in the negative are,

Briggs	Moss	Varnum	8
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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to provide for the equitable settlement of the claims of Stiles Johnson and Norman Butler on their canal contracts," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 72 }
{ NOES 07 }

Those who voted in the affirmative are,

H. J. Allen	Coffin	Higby	Minier	A. Smith
Atwood	Colvin	Horton	Noble	E. T. Smith
J. W. Babcock	Corser	Hoppin	Pardee	Southwick
Baker	Davis	Kinsley	E. Perry	Stevens
Barnes	Dennison	Kellogg	J. L. Perry	Stewart
Belknap	Dougherty	Lake	Pool	Stratton
J. Benedict	Farr	Lawyer	Rouse	Swords
Blackstone	Ferris	Leggett	Rowe	A. A. Thompson
Bottum	Feller	Le Roy	Rumsey	O. C. Thompson
Bowne	Gilbert	Lesley	W. F. Russell	Townsend
Bradley	Gleason	Lewis	Ryan	Wakeman
Brayton	Graham	McLouth	Shall	Wheeler
Bushnell	W. S. Gregory	Macomber	Sherman	Wright
G. Clark	H. Harris	Miles	Sickles	Yeomans
J. F. Clark	Heath			72

Those who voted in the negative are;

Bird	Cooke	Moss	Tuthill	Varnum
Briggs	Ingersoll			7

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The Senate bill entitled, "An act to incorporate the New-York State and National law school," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 75 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	J. F. Clark	L. Harris	Macomber	E. T. Smith
O. Allen	Coffin	Hatch	Miles	Snell

Atwood	Colvin	Heath	Moss	Southwick
J. W. Babcock	Cooke	Higby	Noble	Stevens
Baker	Corser	Hoppin	Pardee	Stewart
Barnes	Davis	Humphrey	E. Perry	Swords
J. Benedict	Dennison	Ingersoll	J. L. Perry	A. A. Thompson
T. H. Benedict	Farr	Kinsley	Rouse	O. C. Thompson
Bird	Ferris	Kellogg	Rowe	Townsend
Blackstone	Feller	Lake	W. F. Russell	Tuthill
Bottam	Fitzhugh	Leggett	Shall	Underwood
Bowne	Gleason	Le Roy	Sherman	Wakeman
Brayton	Graham	Lesley	Shultes	Wheeler
Briggs	W. S. Gregory	Lewis	Sickles	Wright
G. Clark	Greene	McLouth	A. Smith	Yeomans

75

Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have concurred in the same without amendment.

The bill entitled, "An act to incorporate the Manhattan steam ship company," was then read a third time.

Mr. Varnum asked and obtained unanimous consent to amend by striking out the words "or elsewhere" in the first section of said bill."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 67 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	G. Clark	Hatch	Miles	Southwick
O. Allen	J. F. Clark	Heath	Noble	Stevens
Atwood	Coffin	Higby	Pardee	Stratton
Baker	Colvin	Humphrey	E. Perry	Swords
Barnes	Cooke	Ingersoll	J. L. Perry	A. A. Thompson
Belknap	Corser	Kinsley	Rouse	Townsend
J. Benedict	Davis	Kellogg	Rowe	Tuthill
Bird	Dennison	Lawyer	Ryan	Underwood
Blackstone	Dewey	Leggett	Shall	Wakeman
Bowne	Farr	Le Roy	Shultes	Welden
Bradley	Fitzhugh	Lesley	Sickles	Wheeler
Brayton	W. S. Gregory	Lewis	A. Smith	Wright
Briggs	Greene	McLouth	E. T. Smith	Yeomans
Bushnell	L. Harris			

69

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act for the relief of Asa D. Wood, Ambrose Clark and William H. Douglass," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 82 }
{ NOES 01 }

Those who voted in the affirmative are,

H. J. Allen	Coffin	L. Harris	McLouth	E. T. Smith
O. Allen	Colvin	Hatch	Miles	Snell
Baker	Cooke	Heath	Minier	Southwick
Barnes	Corser	Highy	Moss	Stevens
Belknap	Davis	Horton	Pardee	Stratten
J. Benedict	Dennison	Hoppin	E. Perry	Swords
T. H. Benedict	Doyle	Humphrey	J. L. Parry	A. A. Thompson
Bird	Farr	Ingersoll	Pool	Townsend
Blackstone	Ferris	Kinsley	Rouse	Tuthill
Bottom	Feller	Kellogg	Rowe	Underwood
Bowne	Fitzhugh	Lake	Ryan	Varnum
Bradley	Fordyce	Lawyer	Shall	Wakeman
Brayton	Gleason	Loggett	Sherman	Welden
Bushnell	Graham	Le Roy	Shultes	Wheeler
Chamberlin	W. S. Gregory	Lesley	Sickles	Wright
G. Clark	Greene	Lewis	A. Smith	Yeomans
J. F. Clark	H. Harris			

82

For the negative,

Briggs

Ordered, That the Clerk return the said bill to the Senate, and request their concurrence in the same.

On motion of Mr. Wheeler,

The House then at half past six o'clock adjourned.

SATURDAY, MARCH 15, 1851.

The House met pursuant to adjournment,

Prayer by the Rev. Mr. Kip.

The minutes of yesterday were read and approved.

Mr. Speaker announced the special order to be the third reading of bills.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to confirm the title of the East river insurance company to certain real estate in the city of New-York, and to amend the charter thereof."

"An act to amend the act to incorporate the East river savings institution, passed April 11, 1848."

"An act to incorporate the Mexican ocean mail and inland company."

"An act to incorporate the asylum for friendless boys in the city of New-York."

Ordered, That said bills be read a third time.

The bill entitled, "An act to prohibit the sale of firewood in the

city of New-York by unlicensed persons," coming up for its third reading, it was ascertained that there was not a quorum present.

Mr. O. Allen moved a call of the House.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the affirmative.

The roll was then called, and the following members appeared and answered to their names, to wit :

H. J. Allen	J. F. Clark	L. Harris	McLouth	Stewart
O. Allen	Coffin	Heath	Macomber	Stillwell
Baker	Colvin	Higby	Minier	Stratton
Barnes	Cooke	Hoppin	Moss	Speaker
J. Benedict	Corser	Humphrey	Pardee	A. A. Thompson
Bird	Doyle	Ingersoll	E. Perry	O. C. Thompson
Bottum	Elderkirk	Jayne	J. L. Perry	Underwood
Bowne	Farr	Kinsley	Pool	Wakeman
Bradley	Ferris	Kellogg	Rowe	Ward
Brayton	Feller	Lake	Ryan	Welden
Briggs	Fitzhugh	Lawyer	Sherman	Wheeler
Burroughs	Fordyce	Leggett	A. Smith	Wooster
Bushnell	Gleason	Le Roy	Southwick	Wright
Campbell	H. Harris	Lesley	Stevens	

Mr. Wheeler moved that a further call of the House be dispensed with.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wheeler, and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 44 }
{ NOES 38 }

Those who voted in the affirmative are,

H. J. Allen	Campbell	Greene	Rowe	Tenthill
O. Allen	Colvin	H. Harris	Ryan	Underwood
Barnes	Cooke	L. Harris	Sherman	Vernum
Bellman	Corser	Heath	Snell	Wakeman
Bottum	Davis	Horton	Southwick	Ward
Bowne	Dougherty	Lake	Stevens	Welden
Briggs	Ferris	Le Roy	Swords	Wright
Bushnell	Feller	Minier	Speaker	Yeomans
Cady	Fitzhugh	Pardee	A. A. Thompson	

Those who voted in the negative are,

Baker	Elderkirk	Jayne	Macomber	A. Smith
J. Benedict	Farr	Kinsley	Moss	Stewart
Bird	Fordyce	Kellogg	E. Perry	Stillwell
Bradley	Gibert	Lawyer	J. L. Perry	Stratton
Burroughs	Higby	Leggett	Pool	O. C. Thompson
J. F. Clark	Hoppin	Lesley	Snell	Wheeler
Coffin	Humphrey	Lyon	Sickles	Wooster
Doyle	Ingersoll	McLouth		

Mr. Macomber moved to reconsider the vote on the passage of said bill.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Macomber, and it was determined in the affirmative.

{ AYES 73 }
{ NOES 00 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Campbell	Heath	Moss	Stewart
O. Allen	J. F. Clark	Hoppin	Pardee	Stilwell
Atwood	Colvin	Humphrey	E. Perry	Swords
R. Babcock	Congdon	Ingersoll	J. L. Perry	Speaker
J. W. Babcock	Corser	Jayne	Pool	A. A. Thompson
Baker	Davis	Kinsley	Rouse	O. C. Thompson
Barnes	Dennison	Kellogg	Rowe	Townsend
Belknap	Elderkin	Lake	Ryan	Tuthill
J. Benedict	Farr	Lawyer	Shall	Ward
Bottum	Ferris	Leggett	Sherman	Welden
Bowne	Feller	Lesley	Siekles	Wheeler
Bradley	Fitzhugh	Lewis	Snell	Wooster
Brayton	Greene	McLouth	Southwick	Wright
Briggs	H. Harris	Macomber	Stevens	Yeomans
Bushnell	Hatch	Miles		

73

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	J. F. Clark	Hatch	Moss	Stilwell
O. Allen	Coffin	Heath	Noble	Stratton
Atwood	Colvin	Higby	Pardee	Swords
R. Babcock	Cooke	Humphrey	E. Perry	Speaker
J. W. Babcock	Davis	Ingersoll	J. L. Perry	A. A. Thompson
Baker	Dennison	Jayne	Pool	O. C. Thompson
Barnes	Doyle	Kinsley	Rouse	Townsend
Belknap	Elderkin	Kellogg	Rowe	Tuthill
J. Benedict	Farr	Lake	Ryan	Varnum
Bishop	Ferris	Lawyer	Shall	Wakeman
Bottum	Feller	Leggett	Sherman	Ward
Bowne	Fitzhugh	Lesley	Siekles	Welden
Bradley	Fordyce	McLouth	Snell	Wheeler
Brayton	Gilbert	Macomber	Southwick	Wooster
Briggs	Greene	Miles	Stevens	Wright
Bushnell	H. Harris	Minier	Stewart	Yeomans
Cady	L. Harris			

82

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The Senate bill entitled, "An act authorising the Canal Commissioners to repair the public highway across the Seneca lake, and to

protect the banks of the Cayuga and Seneca lake against injury from the waters of said lake," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	H. Harris	Moss	Stilwell
O. Allen	J. F. Clark	L. Harris	Noble	Stratton
R. Babcock	Coffin	Hatch	Pardee	Swords
J. W. Babcock	Colvin	Hoppin	E. Perry	Speaker
Baker	Cooke	Humphrey	J. L. Perry	A. A. Thompson
Barnes	Congdon	Ingersoll	Pool	O. C. Thompson
Belknap	Davis	Jayne	Rouse	Townsend
J. Benedict	Doyle	Kinsley	Rowe	Tuthill
Bishop	Elderkin	Kellogg	Ryan	Varnum
Botum	Farr	Lake	Shall	Wakeman
Bowne	Ferris	Lawyer	Sherman	Ward
Bradley	Feller	Leggett	A. Smith	Welden
Brayton	Fitzhugh	Le Roy	Snell	Wheeler
Briggs	Fordyce	Lesley	Southwick	Wooster
Bushnell	Gilbert	McLouth	Stevens	Wright
Cady	Greene	Macomber	Stewart	Yeomans 80

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to authorise Mary Louisa Powers and her trustees to sell and convey or to mortgage certain trust property," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 72 }
{ NOES 01 }

Those who voted in the affirmative are,

H. J. Allen	Cooke	Humphrey	E. Perry	Stilwell
R. Babcock	Congdon	Ingersoll	J. L. Perry	Stratton
J. W. Babcock	Corser	Jayne	Pool	Swords
Belknap	Dennison	Kinsley	Rouse	Speaker
J. Benedict	Elderkin	Kellogg	Rowe	A. A. Thompson
Bishop	Farr	Lake	Ryan	O. C. Thompson
Bowne	Ferris	Lawyer	Shall	Tuthill
Bradley	Feller	Le Roy	Sherman	Wakeman
Brayton	Fordyce	Lesley	Sickles	Ward
Briggs	Gilbert	McLouth	A. Smith	Welden
Bushnell	Greene	Macomber	Snell	Wheeler
Cady	H. Harris	Moss	Southwick	Wooster
J. F. Clark	L. Harris	Noble	Stevens	Wright
Coffin	Hatch	Pardee	Stewart	Yeomans
Colvin	Hoppin			

For the negative,

Varnum

1

Ordered, That the Clerk return the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to authorise the Buffalo gas light co. to sell certain lands," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 75 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	J. F. Clark	H. Harris	Miles	Stewart
O. Allen	Coffin	L. Harris	Moss	Stratton
R. Babcock	Colvin	Hatch	Noble	Swords
Barnes	Cooke	Heath	Pardee	Speaker
Belknap	Congdon	Horton	E. Perry	A. A. Thompson
J. Benedict	Corser	Hoppin	J. L. Perry	O. C. Thompson
Bird	Davis	Humphrey	Pool	Tuthill
Bishop	Dougherty	Ingersoll	Rouse	Underwood
Bottum	Elderkin	Jayne	Rowe	Wakeman
Bowne	Farr	Kinsley	Ryan	Ward
Bradley	Ferris	Kellogg	Shall	Welden
Brayton	Feller	Lake	Sherman	Wheeler
Briggs	Fordyce	Leggett	Sickles	Wooster
Cady	Gilbert	Le Roy	A. Smith	Wright
Chamberlin	Greene	Lesley	Southwick	Yeomans 75

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act respecting the time of payment of drafts or bills of exchange, drawn or made payable at sight," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assambly not voting in favor thereof, as follows :

{ AYES 59 }
{ NOES 27 }

Those who voted in the affirmative are,

H. J. Allen	Cady	Greene	Lawyer	Sickles
O. Allen	Campbell	H. Harris	Leggett	A. Smith
Atwood	Chamberlin	L. Harris	Lesley	Southwick
R. Babcock	Cooke	Hatch	Macomber	Stevens
Baker	Congdon	Heath	Miles	Stewart
Barnes	Corser	Higby	Moss	Stilwell
Belknap	Dennison,	Hoppin	Noble	Stratton
Bird	Doyle	Ingersoll	E. Perry	Townsend.
Bowne	Farr	Jayne	Rouse	Wakeman
Brayton	Feller	Kinsley	W. F. Russell	Ward

Briggs	Fitzhugh	Kellogg	Ryan	Yeomans	
Burroughs	Fordyce	Lake	Sherman		59

Those who voted in the negative are,

J. W. Babcock	Colvin	Gleason	Rowe	O. C. Thompson
J. Benedict	Davis	McLouth	Shall	Tuthill
Bishop	Dougherty	Pardee	Snell	Varnum
Bradley	Elderkin	J. L. Perry	Swords	Welden
Bushnell	Ferris	Pool	Speaker	Wooster
Coffin	Gilbert			

27

Mr. Varnum moved to reconsider the vote on the passage of this bill.

Mr. Varnum moved to lay the motion to reconsider on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Varnum, and it was determined in the affirmative.

The bill entitled, "An act to amend chapter 350 of the laws of 1850 entitled, 'An act to amend an act entitled, 'An act to provide for the incorporation of villages,' passed Dec. 7, 1847,' so far as relates to the village of Baldwinsville in the county of Onondaga," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 75 }
{ NOES 07 }

Those who voted in the affirmative are,

H. J. Allen	Cady	Gleason	Le Roy	Sherman
O. Allen	Chamberlin	Graham	Lesley	A. Smith
Atwood	J. F. Clark	Greene	Lewis	Snell
R. Babcock	Coffin	H. Harris	Miles	Southwick
J. W. Babcock	Colvin	L. Harris	Minier	Stevens
Baker	Cooke	Hatch	Moss	Stratton
Barnes	Congdon	Heath	Noble	Swords
Belknap	Dennison	Higby	Pardee	Speaker
J. Benedict	Doyle	Hoppin	E. Perry	O. C. Thompson
Bird	Elderkin	Ingersoll	J. L. Perry	Tuthill
Bishop	Farr	Jayne	Rouse	Underwood
Bottum	Ferris	Kinsley	Rowe	Varnum
Brayton	Feller	Kellogg	W. F. Russell	Welden
Briggs	Fordyce	Lake	Ryan	Wooster
Burroughs	Gilbert	Lawyer	Shall	Yeomans

75

Those who voted in the negative are,

Bowne	Bushnell	McLouth	Pool	Stilwell
Bradley	Leggett			

7

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act in relation to the duties of superintendents of the poor," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 66 }
{ NOES 03 }

Those who voted in the affirmative are,

H. J. Allen	Bushnell	Gilbert	McLouth	Sherman
O. Allen	Cady	L. Harris	Macomber	A. Smith
Atwood	Chamberlin	Hatch	Miles	Southwick
R. Babcock	Coffin	Heath	Minier	Stilwell
J. W. Babcock	Colvin	Higby	Moss	Swords
Baker	Congdon	Hoppin	Noble	Speaker
J. Benedict	Corser	Humphrey	Pardee	O. C. Thompson
Bird	Davis	Ingersoll	Pool	Tuthill
Bottum	Dennison	Kinsley	Rouse	Underwood
Bowne	Dougherty	Kellogg	Rowe	Ward
Bradley	Farr	Lawyer	W. F. Russell	Welden
Brayton	Feller	Le Roy	Ryan	Wheeler
Briggs	Fordyce	Lesley	Shall	Yeomans
Burroughs				66

Those who voted in the negative are,

Doyle	Gleason	Lake	3
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Mr. H. Harris moved that the vote on the passage of this bill be reconsidered.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. H. Harris, and it was determined in the negative.

{ AYES 45 }
{ NOES 21 }

Those who voted in the affirmative are,

The ayes and noes being called for by ten members,

H. J. Allen	Briggs	H. Harris	Minier	Speaker
O. Allen	Coffin	Hatch	E. Perry	Tuthill
R. Babcock	Doyle	Horton	J. L. Perry	Underwood
Backhouse	Farr	Humphrey	W. F. Russell	Varnum
Baker	Ferris	Ingersoll	Ryan	Wakeman
Barnes	Feller	Lake	Sherman	Welden
Bottum	Gleason	Lesley	Sickles	Wheeler
Bowne	Graham	McLouth	Southwick	Wooster
Brayton	Greene	Miles	Swords	Yeomans
				45

Those who voted in the negative are,

Bradley	Dougherty	Kellogg	Pardee	Stewart
Burroughs	Higby	Lawyer	Pool	Stilwell
J. F. Clark	Hoppin	Le Roy	Rowe	Stratton
Colvin	Kinsley	Noble	Shall	O. C. Thompson
Dennison				21

The Senate bill entitled, "An act to amend the act entitled, 'An act to amend the charter of the city of Troy, and to provide for the

establishment of free schools in said city,' passed April 4, 1849," was read a third time.,

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Coffin	Higby	Minier	Southwick
O. Allen	Colvin	Horton	Moss	Stilwell
R. Babcock	Corser	Hoppin	Noble	Stratton
J. W. Babcock	Davis	Humphrey	Pardee	Swords
Barnes	Dougherty	Ingersoll	E. Perry	Townsend
Belknap	Doyle	Kinsley	J. L. Perry	Tuthill
J. Benedict	Farr	Kellogg	Pool	Underwood
Bird	Ferris	Lake	Rouse	Varnum
Bottum	Feller	Lawyer	Rowe	Wakeman
Bowne	Fitzhugh	Le Roy	W. F. Russell	Ward
Bradley	Fordyce	Lesley	Shall	Welden
Brayton	Gilbert	Lewis	Sherman	Wheeler
Briggs	Gleason	McLouth	Sickles	Wooster
Burrongs	H. Harris	Macomber	A. Smith	Wright
Cady	L. Harris	Miles	Snell	Yeomans
Chamberlin	Hatch			

77

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The Senate bill entitled, "An act to release the interest of this State in certain lands, of which John Jackson died possessed, to Jemima Jackson his widow," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	Graham	Lesley	A. Smith
O. Allen	J. F. Clark	Greene	Lewis	Southwick
Atwood	Coffin	H. Harris	McLouth	Stilwell
R. Babcock	Colvin	L. Harris	Miles	Stratton
J. W. Babcock	Cooke	Hatch	Minier	Swords
Barnes	Congdon	Heath	Mess	O. C. Thompson
Belknap	Corser	Higby	Noble	Townsend
J. Benedict	Davis	Horton	Pardee	Tuthill
Bird	Dennison	Hoppin	E. Perry	Underwood
Bottum	Dougherty	Humphrey	J. L. Perry	Varnum
Bowne	Doyle	Ingersoll	Pool	Wakeman
Bradley	Farr	Jayne	Rouse	Ward
Brayton	Ferris	Kinsley	Rowe	Welden
Briggs	Feller	Kellogg	W. F. Russell	Wheeler

Burroughs	Fitzhugh	Lake	Ryan	Wooster
Bushnell	Fordyce	Lawyer	Shall	Wright
Cady	Gilbert	Leggett	Sherman	Yeomans
Campbell	Gleason	Le Roy	Sickles	

89

Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have concurred in the same without amendment.

The bill entitled, "An act to amend an act entitled, 'An act for the collection of taxes in the city of New-York, passed April 18, 1843.'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 66 }
{ NOES 60 }

Those who voted in the affirmative are,

H. J. Allen	J. F. Clark	H. Harris	Minier	Stratton
J. W. Babcock	Coffin	L. Harris	Moss	Swords
Barnes	Colvin	Hoppin	Pardee	Townsend
Belknap	Cooke	Ingersoll	E. Perry	Tuthill
J. Benedict	Congdon	Jayne	J. L. Perry	Underwood
Bird	Corser	Kinsley	Rouse	Varnum
Bottum	Davis	Kellogg	Ryan	Wakeman
Bowne	Dennison	Lake	Shall	Ward
Bradley	Farr	Lawyer	Sherman	Welden
Brayton	Ferris	Le Roy	Sickles	Wheeler
Briggs	Feller	Lesley	A. Smith	Wooster
Bushnell	Fordyce	McLouth	Southwick	Wright
Cady	Gleason	Miles	Stillwell	Yeomans
Chamberlin				

66

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act for the relief of John Ryan, Lathrop A. B. G. Grant and Otis Turner," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 74 }
{ NOES 10 }

Those who voted in the affirmative are,

H. J. Allen	Bushnell	Fitzhugh	Lewis	A. Smith
O. Allen	Cady	Fordyce	McLouth	E. T. Smith
Atwood	Chamberlin	Gilbert	Miles	Snell
R. Babcock	J. F. Clark	Graham	Minier	Southwick
J. W. Babcock	Coffin	H. Harris	Moss	Stratton
Baker	Colvin	L. Harris	Pardee	Swords
Belknap	Congdon	Hatch	E. Perry	O. C. Thompson
J. Benedict	Corser	Heath	J. L. Perry	Tuthill

T. H. Benedict	Davis	Hoppin	Rouse	Wakeman
Bird	Dennison	Ingersoll	Rowe	Ward
Bishop	Doyle	Kinsley	W. F. Russell	Welden
Bottom	Elderkin	Lake	Ryan	Wooster
Bowne	Farr	Leggett	Shall	Wright
Brayton	Ferris	Le Roy	Sherman	Yeomans
Burrongs	Feller	Lesley	Sickles	74

Those who voted in the negative are,

Barnes	Briggs	Kellogg	Noble	Stilwell
Bradley	Dougherty	Lawyer	Pool	Varnum
				10

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act for the relief of John J. Ross," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Bushnell	Gilbert	McLouth	A. Smith
O. Allen	Cady	Gleason	Miles	E. T. Smith
Atwood	Chamberlin	Graham	Minier	Snell
R. Babcock	J. F. Clark	H. Harris	Moss	Southwick
Baker	Coffin	L. Harris	Noble	Stilwell
Barnes	Colvin	Hatch	Pardee	Stratton
Baknap	Congdon	Hoppin	E. Perry	Swords
J. Benedict	Corser	Humphrey	J. L. Perry	O. C. Thompson
T. H. Benedict	Davis	Ingersoll	Pool	Townsend
Bird	Dennison	Kinsley	Rouse	Tuthill
Bishop	Doyle	Kellogg	Rowe	Underwood
Bottom	Farr	Lake	W. F. Russell	Wakeman
Bowne	Ferris	Leggett	Ryan	Welden
Bradley	Feller	Le Roy	Shall	Wooster
Brayton	Fitzhugh	Lesley	Sherman	Wright
Briggs	Fordyce	Lewis	Sickles	Yeomans
Burrongs				81

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The engrossed bill entitled, "An act for the relief of Lewis W. Beecher and William H. C. Hosmer," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 75 }
{ NOES 04 }

Those who voted in the affirmative are,

H. J. Allen	Briggs	Gilbert	Miles	E. T. Smith
O. Allen	Cady	Graham	Minier	Snell
Atwood	Chamberlin	H. Harris	Noble	Southwick
Backhouse	J. F. Clark	L. Harris	Pardee	Stevens
Baker	Coffin	Hatch	E. Perry	O. C. Thompson
Barnes	Colvin	Heath	J. L. Perry	Townsend
Belknap	Congdon	Hoppin	Pool	Tuthill
J. Benedict	Corser	Ingersoll	Rouse	Underwood
T. H. Benedict	Dennison	Kellogg	Rowe	Varnum
Bird	Elderkin	Lake	W. F. Russell	Wakeman
Bishop	Farr	Lawyer	Ryan	Ward
Bottum	Ferris	Leggett	Shall	Welden
Bowne	Feller	Le Roy	Sherman	Wooster
Bradley	Fitzhugh	Lesley	Sickles	Wright
Brayton	Fordyce	McLouth	A. Smith	Yeomans 75

Those who voted in the negative are,

J. W. Babcock	Humphrey	Moss	Stillwell	4
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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The engrossed bill entitled, "An act to provide for the appraisal and payment to James McCabe of the damages incurred by him in consequence of the loss of the canal-boat R. P. Hunt, by the breaking of the weigh lock in the city of Albany," coming up for a third reading,

Mr. Sherman moved to recommit the same to the committee on claims.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Sherman, and it was determined in the affirmative.

The engrossed bill entitled, "An act to grant the right to George Truscott to hold and convey real estate," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 65 }
{ NOES 11 }

Those who voted in the affirmative are,

O. Allen	Bushnell	L. Harris	McLouth	E. T. Smith
Atwood	Cady	Hatch	Miles	Southwick
R. Babcock	J. F. Clark	Higby	Moss	Stevens
J. W. Babcock	Congdon	Hoppin	Noble	Stratton
Baker	Corser	Ingersoll	Pardee	Swords
Barnes	Dennison	Jayne	E. Perry	O. C. Thompson
Belknap	Doyle	Kinsley	J. L. Perry	Townsend
J. Benedict	Elderkin	Langdon	Rouse	Tuthill
Bird	Farr	Lawyer	Rowe	Underwood
Bottum	Feller	Leggett	Ryan	Varnum
Bowne	Fitzhugh	Le Roy	Shall	Wakeman
Bradley	Gilbert	Lesley	Sherman	Ward
Burroughs	H. Harris	Lewis	A. Smith	Wright 65

Those who voted in the negative are,

Brayton	Colvin	Gleason	Humphrey	Stilwell
Chamberlin	Dougherty	Graham	Kellogg	Wooster
Coffin				

11

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

A message from the Senate was received and read, informing that they had passed, without amendment, the bill entitled as follows :

"An act authorising an election of trustees and other officers of the village of Fonda."

Ordered, That the Clerk deliver said bill to the Governor.

The engrossed bill entitled, "An act to incorporate the Asylum for friendless boys in the city of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 67 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Campbell	L. Harris	E. Perry	Stratton
R. Babcock	Chamberlin	Hatch	J. L. Perry	Swords
Baker	J. F. Clark	Hoppin	Rouse	A. A. Thompson
Barnes	Colvin	Humphrey	Rowe	O. C. Thompson
Belknap	Congdon	Kinsley	Ryan	Tuthill
J. Benedict	Corser	Kellogg	Shall	Underwood
Bird	Doyle	Le Roy	Sherman	Varnum
Bottum	Farr	Lesley	Sickles	Wakeman
Bowne	Ferris	McLouth	A. Smith	Ward
Bradley	Feller	Miles	E. T. Smith	Welden
Brayton	Fordyce	Minier	Snell	Wooster
Briggs	Gleason	Moss	Southwick	Wright
Burroughs	Graham	Pardee	Stevens	Yeomans
Bushnell	Greene			

67

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend the act entitled, 'An act to incorporate the Syracuse city water works company,' passed April 5, 1850," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Cady	H. Harris	Minier	Southwick
O. Allen	J. F. Clark	L. Harris	Pardee	Stevens
Atwood	Coffin	Hatch	E. Perry	Stewart
R. Babcock	Colvin	Higby	J. L. Perry	Stratton

Baker	Congdon	Hoppin	Pool	Swords
Barnes	Corser	Humphrey	Rouse	O. C. Thompson
Belknap	Dennison	Ingersoll	Rowe	Townsend
J. Benedict	Dougherty	Jayne	Rumsey	Tuthill
T. H. Benedict	Farr	Kinsley	W. F. Russell	Underwood
Bird	Ferris	Kellogg	Ryan	Wakeman
Bottum	Feller	Lake	Shall	Ward
Bowne	Fitzhugh	Lawyer	Sherman	Welden
Bradley	Fordyce	Leggett	Sickles	Wheeler
Brayton	Gilbert	Le Roy	A. Smith	Wooster
Briggs	Gleason	Lesley	E. T. Smith	Wright
Burroughs	W. S. Gregory	McLouth	Snell	Yeomans
Bushnell	Greene	Miles		

83

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to change the name of the town of Burton," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Cady	H. Harris	Pardoe	Stewart
O. Allen	J. F. Clark	L. Harris	E. Perry	Stratton
Atwood	Coffin	Hoppin	J. L. Perry	Swords
R. Babcock	Colvin	Humphrey	Pool	A. A. Thompson
J. W. Babcock	Corser	Ingersoll	Rouse	O. C. Thompson
Belknap	Davis	Jayne	Rowe	Townsend
J. Benedict	Dennison	Kinsley	Rumsey	Tuthill
Bird	Dougherty	Kellogg	W. F. Russell	Underwood
Bishop	Farr	Lake	Ryan	Wakeman
Bottum	Ferris	Leggett	Shall	Ward
Bowne	Feller	Le Roy	Sherman	Welden
Bradley	Fitzhugh	Lesley	A. Smith	Wheeler
Brayton	Fordyce	McLouth	E. T. Smith	Wooster
Briggs	Gleason	Miles	Snell	Wright
Burroughs	Graham	Minier	Southwick	Yeomans
Bushnell	Greene	Noble	Stevens	

79

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to remove certain papers relating to the city of New-York, from the office of the clerk of the court of appeals to the office of the clerk of the supreme court of the city and county of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	L. Harris	Moss	Southwick
O. Allen	J. F. Clark	Hatch	Noble	Stevens
Atwood	Coffin	Heath	Pardee	Stewart
R. Babcock	Colvin	Hoppin	E. Perry	Stratton
J. W. Babcock	Corser	Ingersoll	J. L. Perry	Swords
Baker	Dougherty	Jayne	Pool	A. A. Thompson
Belknap	Farr	Kinsley	Rouse	O. C. Thompson
J. Benedict	Ferris	Kellogg	Rowe	Townsend
Bird	Feller	Lake	Rumsey	Tuthill
Bishop	Fitzhugh	Lawyer	W. F. Russell	Varnum
Bottum	Fordyce	Leggett	Ryan	Ward
Bowne	Gilbert	Le Roy	Shall	Welden
Bradley	Gleason	Lesley	Sherman	Wheeler
Brayton	Graham	McLouth	A. Smith	Wooster
Briggs	W. S. Gregory	Miles	E. T. Smith	Wright
Bushnell	Greene	Minier	Snell	Yeomans
Cady	H. Harris			

82

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend the act to incorporate the East river savings institution, passed April 11, 1848," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 81 }
{ NOES 01 }

Those who voted in the affirmative are,

H. J. Allen	Bushnell	Graham	McLouth	Southwick
O. Allen	Cady	Greene	Miles	Stevens
Atwood	J. F. Clark	H. Harris	Noble	Stewart
R. Babcock	Coffin	L. Harris	Pardee	Stratton
J. W. Babcock	Colvin	Hatch	E. Perry	Swords
Baker	Congdon	Heath	J. L. Perry	A. A. Thompson
Barnes	Corser	Hoppin	Pool	O. C. Thompson
Belknap	Dennison	Humphrey	Rouse	Townsend
J. Benedict	Dougherty	Ingersoll	Rumsey	Tuthill
Bird	Farr	Jayne	W. F. Russell	Wakeman
Bishop	Ferris	Kinsley	Shall	Ward
Bottum	Feller	Kellogg	Sherman	Welden
Bowne	Fitzhugh	Lake	Sickles	Wheeler
Bradley	Fordyce	Lawyer	A. Smith	Wooster
Brayton	Gilbert	Leggett	E. T. Smith	Wright
Briggs	Gleason	Lealey	Snell	Yeomans
Barronghs				

81

For the negative,

Minier

1

Ordered, That the Clerk return the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to confirm the title of the East river in-

surance company to certain real estate in the city of New-York, and to amend the charter thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Bushnell	H. Harris	Noble	Stevens
O. Allen	Cady	L. Harris	Pardee	Stewart
Atwood	J. F. Clark	Hatch	E. Perry	Stratton
R. Babcock	Coffin	Hoppin	J. L. Perry	Swords
J. W. Babcock	Colvin	Ingersoll	Pool	A. A. Thompson
Baker	Corser	Jayne	Rouse	O. C. Thompson
Barnes	Elderkin	Kinsley	Rowe	Townsend
Belknap	Farr	Kellogg	Rumsey	Tuthill
J. Benedict	Ferris	Lake	Ryan	Underwood
Bird	Feller	Lawyer	Shall	Wakeman
Bishop	Fitzhugh	Leggett	Sherman	Ward
Bottum	Fordyce	Le Roy	Sickles	Welden
Bowne	Gilbert	Lesley	A. Smith	Wheeler
Bradley	Gleason	McLouth	E. T. Smith	Wooster
Brayton	Graham	Miles	Snell	Wright
Briggs	Greene	Minier	Southwick	Yeomans
Burrqughs				

81

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to incorporate the Mexican ocean mail and inland company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows.

{ AYES 74 }
{ NOES 03 }

Those who voted in the affirmative are,

H. J. Allen	Briggs	Gilbert	McLouth	Sickles
O. Allen	Burrqughs	Graham	Miles	A. Smith
Atwood	Bushnell	Greene	Minier	E. T. Smith
R. Babcock	Cady	H. Harris	Moss	Snell
J. W. Babcock	Colvin	Hatch	Noble	Southwick
Baker	Congdon	Hoppin	Pardee	Stevens
Barnes	Corser	Ingersoll	E. Perry	Stratton
Belknap	Davis	Jayne	J. L. Perry	Swords
J. Benedict	Dennison	Kinsley	Pool	A. A. Thompson
Bird	Elderkin	Kellogg	Rouse	Tuthill
Bishop	Farr	Lake	Rowe	Wakeman
Bottum	Ferris	Lawyer	Rumsey	Wheeler
Bowne	Feller	Leggett	W. F. Russell	Wright
Bradley	Fitzhugh	Le Roy	Shall	Yeomans
Brayton	Fordyce	Lesley	Sherman	

74

Those who voted in the negative are,

J. F. Clark Gleason Wooster

3

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to authorise the Chautauque central plank road company, to borrow money, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	J. F. Clark	W. S. Gregory	McLouth	E. T. Smith
O. Allen	Coffin	Greene	Miles	Snell
Atwood	Colvin	L. Harris	Minier	Southwick
R. Babcock	Cooke	Hatch	Moss	Stevens
J. W. Babcock	Corser	Heath	Noble	Stratton
Baker	Dennison	Hoppin	Pardee	Swords
Belknap	Dougherty	Humphrey	E. Perry	A. A. Thompson
J. Benedict	Elderkin	Ingersoll	J. L. Perry	Townsend
Bird	Farr	Jayne	Pool	Tuthill
Bishop	Ferris	Kinsley	Rouse	Varnum
Bottum	Feller	Kellogg	Rowe	Wakeman
Bowne	Fitzhugh	Lake	Rumsey	Ward
Bradley	Fordyce	Lawyer	Shall	Welden
Brayton	Gilbert	Leggett	Sherman	Wooster
Briggs	Gleason	Le Roy	Sickles	Wright
Cady	Graham	Lesley	A. Smith	Yeomans 80

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act declaratory of the act to authorise the recording of wills of real estate, and of exemplifications of judgment records and decrees in partition suits and for other purposes, passed May 11, 1846," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 76 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Cady	Graham	Miles	Southwick
O. Allen	J. F. Clark	L. Harris	Moss	Stevens
Atwood	Coffin	Hatch	Noble	Stratton
R. Babcock	Colvin	Heath	Pardee	Swords
Baker	Congdon	Hoppin	E. Perry	A. A. Thompson
Barnes	Corser	Humphrey	J. L. Perry	O. C. Thompson
Belknap	Dennison	Jayne	Pool	Townsend
J. Benedict	Elderkin	Kinsley	Rouse	Tuthill

Bird	Farr	Kellogg	Rowe	Varnum
Bishop	Ferris	Lake	W. F. Russell	Wakeman
Bottum	Feller	Lawyer	Shall	Welden
Bowne	Fitzhugh	Leggett	Sherman	Wheeler
Bradley	Fordyce	Le Roy	Sickles	Wooster
Brayton	Gilbert	Lesley	A. Smith	Wright
Briggs	Gleason	McLouth	E. T. Smith	Yeomans
Bushnell				

76

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend an act entitled, 'An act providing for the registry of births, marriages and deaths,'" coming up for a third reading,

On motion of Mr. Tuthill, and by unanimous consent,

The title of said bill was amended so as to read as follows: "An act to provide for the registry of births, marriages and deaths, and to repeal the act entitled, 'An act to provide for the registry of births, marriages and deaths,' passed April 28, 1847."

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

{ AYES 35 }
 { NOES 32 }

Those who voted in the affirmative are,

H. J. Allen	Briggs	Farr	Hatch	Rowe
O. Allen	Burroughs	Ferris	Horton	A. Smith
Baker	Cady	Feller	Hoppin	E. T. Smith
Bottum	Coffin	Fitzhugh	Kinsley	Snell
Bowne	Colvin	Gilbert	Kellogg	Swords
Bradley	Davis	Graham	J. L. Perry	Townsend
Brayton	Doyle	H. Harris	Pool	Tuthill

35

Those who voted in the negative are,

Atwood	Dennison	Lawyer	Pardee	Stevens
J. W. Babcock	Fordyce	Le Roy	E. Perry	A. A. Thompson
Barnes	Gleason	McLouth	Rouse	Wakeman
Belknap	Heath	Minier	Sherman	Welden
J. F. Clark	Ingersoll	Moss	Sickles	Wooster
Congdon	Jayne	Noble	Southwick	Wright
Corser	Lake			

32

Mr. Wakeman moved to reconsider the vote on the passage of this bill.

Mr. Tuthill moved to lay said motion to reconsider on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Tuthill, and it was determined in the affirmative.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bills entitled as follows:

"An act for the enrollment of the militia, to abolish fines in certain

cases, and to exempt members of uniformed companies from working on highways and serving on juries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defence.

"An act to confirm and amend the charter of the village of Morrisville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to change the time for making payments to the safety fund," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

"An act to subject certain debts owing to non-residents to taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the select committee on assessments.

"An act to authorise the town of Flushing, in the county of Queens to raise money by tax for the purchase of a farm for the support of the poor, and to sell part of their town lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act to amend the act entitled, 'An act to incorporate the orphan asylum society in the city of Brooklyn,' passed April 15, 1835," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act for the relief of the collectors of taxes in certain cases," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the internal affairs of towns and counties.

"An act to authorise an election of officers in the village of Silver Creek," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

"An act to incorporate the Miniseongo Ferry company, in the county of Rockland," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to amend the act entitled, 'An act to incorporate the Port Byron and Conquest turnpike road and bridge company,' passed May, 25, 1836," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to confirm the title of a certain lot or piece of land to Roswell Graves," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Speaker then announced the special order to be the several bills relating to free schools.

Mr. Briggs moved to suspend the special order.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Briggs, and it was determined in the negative.

The House then resolved itself into a committee of the whole on said bills.

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Heath, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

Mr. Speaker then announced the order of business to be the presentation of petitions.

Mr. O. Allen moved to lay that order of business on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the negative.

By unanimous consent,

Mr. Graham, from the committee on public printing, to which was referred the resolution authorising the printing of 30 times the usual number of copies of the report of the canal commissioners, on so much of the governor's message as relates to canals, offered the following resolution :

Resolved, That 40 times the usual number of the report of the canal committee, on so much of the Governor's message as relates to the canals of the State, be printed for the use of the Legislature and five hundred for the use of the canal department.

Mr. Burroughs moved to amend by adding to said resolution "and that the minority of the committee on canals have leave to annex a note to said report to be printed with it."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

The question recurring on the resolution as amended, Mr. Elderkin moved to amend said resolution by striking out 40 and inserting 10.

Pending debate on the amendment, and by unanimous consent Mr. Burroughs offered the following resolution.

Resolved, That when this House adjourns, it will adjourn until Monday morning at 10 o'clock, and that this House will continue in session without reference to the usual recess.

Mr. Bradley offered the following amendment, "and the session shall be continued long enough to make up whatever time is spent by the Legislature during the proposed adjournment."

After some debate on Mr. Elderkin's amendment,

Mr. Speaker put the question whether the House would agree to the said amendment, and it was determined in the negative.

{ AYES 23 }
{ NOES 42 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Bradley	Davis	Kinsley	Ryan	Snell
J. P. Clark	Doyle	Lawyer	Shall	Stowell

[ASSEMBLY JOURNAL.]

Coffin	Elderkin	Le Roy	Sickles	Swords	
Colvin	Higby	E. Perry	E. T. Smith	Wooster	
Congdon	Hoppin	Poo]			23

Those who voted in the negative are,

H. J. Allen	Bottum	Graham	Lewis	Southwick	
O. Allen	Brayton	A. A. Gregory	McLouth	Stevens	
J. W. Babcock	Briggs	L. Harris	Miles	Townsend	
Baker	Burrongs	Heath	Moss	Tuthill	
Barnes	Dennison	Jayne	Pardee	Varnum	
Belknap	Farr	Kellogg	Rouse	Welden	
J. Benedict	Ferris	Leggett	Sherman	Wright	
T. H. Benedict	Feller	Lesley	A. Smith	Yeomans	
Bird	Fordyce				42

Mr. H. J. Allen called for the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the report of the said committee, and it was determined in the affirmative.

By unanimous consent,

Mr. Lyon, from the committee on canals, to which was referred the petition of D. S. Howard, for relief under his canal contracts, reported in writing, and asked and obtained leave to bring in a bill entitled, "An act to provide for the settlement of the claims of D. S. Howard on his canal contracts," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(See Doc. No. 115.)

A message from the Governor was received and read, in the words following, to wit:

EXECUTIVE DEPARTMENT, }
Albany, March 15th, 1851. }

To the Assembly:

I have this day approved and signed the following entitled bills:

"An act to provide for an additional justice of the peace in the town of Hector, in the county of Tompkins."

"An act to increase the number of managers of the life saving benevolent association of New-York."

"An act to repeal an act relating to highways in the town of Greenburgh."

WASHINGTON HUNT.

Mr. J. Benedict presented the remonstrance of 125 inhabitants of Oneida co., against the recharter of Sodus canal, which was read and referred to the committee of the whole.

Mr. Congdon presented the petition of inhabitants of Allegany co., Mr. Colvin the petition of inhabitants of Cayuga co., Mr. Gleason

the petition of inhabitants of Delaware co., Mr. Gilbert the petition of inhabitants of Jefferson co., Mr. Moss two petitions of inhabitants of Niagara co., Mr. Stratton one petition of inhabitants of Sullivan co., Mr. Lawyer two petitions of inhabitants of Schoharie co., for the repeal or modification of the present school law, which were read and referred to the committee of the whole.

Mr. Cady presented the communication from the mayor &c., of Brooklyn, in relation to warrants for collection of taxes, which was read and referred to the select committee consisting of the Kings co. delegation.

Mr. Jayne presented the petition of sundry inhabitants of Benton, Yates co., for an appropriation to Genesee college, which was read and referred to the committee of the whole.

Mr. L. Harris presented five several petitions of inhabitants of Chenango co., for regulation of the traffic in spirituous liquors, which were read and referred to the committee of the whole.

Mr. Lesley presented the petition of citizens of Troy, for an appropriation for the relief of the Troy hospital, which was read and referred to the committee on ways and means.

Mr. Burroughs presented the petition of inhabitants of Orleans co., to authorise the laying out of a highway on the banks of the Tonawanda and Oak Orchard feeder, which was read and referred to the select committee.

Mr. Baker presented the petition for the widening of avenue in Kings co., which was read and referred to the select committee consisting of the Kings county delegation.

Mr. H. Harris presented the petition of John Q. Wilson and 100 citizens of Albany, praying for aid to the Troy hospital, which was read and referred to the committee on ways and means.

Mr. Ferris presented the petition of Herman Clark of Danby, Tompkins co., for relief, which was read and referred to the committee on grievances.

Mr. Moss presented the petition of 34 inhabitants of Lockport, Niagara co., for the usual annual appropriation to Geneva college, which was read and referred to the committee on ways and means.

Mr. Stevens presented the petition of C. Seymour and 59 others, inhabitants of Onondaga co., to make the annual appropriation of \$3,000 as recommended by his excellency the Governor in his message, which was read and referred to the committee on ways and means.

Mr. Farr presented the petition of citizens of Fort Ann for amendment of charter, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Snell presented the petition of inhabitants of Oswego co., for an act to extend the powers of notaries public, which was read and referred to the committee on the judiciary.

Mr. Gilbert presented the petition of sundry citizens of Jefferson co., on the same subject, which was read and referred to the committee on the judiciary.

Mr. Fordyce presented two petitions for an alteration of the law

relative to the trial in justices' courts of actions for petit larceny, which was read and referred to the committee on the judiciary.

Mr. Rouse presented the petition of 93 citizens of Kirkland and Westmoreland, Oneida co., for the examination and survey of a route for the People's national railroad, which was read and referred to the committee on railroads.

Mr. Tuthill presented the remonstrance of Frederic K. Terry and 41 other voters of Southold, Suffolk co., against opening First-st. in the village of Greenport, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Fitzhugh presented the remonstrance of sundry citizens of Rochester, against the amendment of the ordinance of said city in relation to the sale of fresh meat, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Stevens presented a remonstrance against the charter of a savings bank in the city of Syracuse, which was read and referred to the committee on banks and insurance companies.

Mr. Moss presented the petition of the Middleport and Ridge road plank road co. and others, in relation to the location of their toll gate, which was read and referred to the committee on roads and bridges.

Mr. Moss presented the petition of 116 inhabitants of Niagara co., for a law prohibiting railroads, plank roads and turnpike companies and associations from locating their roads through public cemeteries, which was read and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Wakeman asked and obtained leave to bring in a bill entitled, "An act to revise and amend the existing laws in relation to the assessment of personal property," which was read the first time, and by unanimous consent was also read a second time, and referred to the select committee on taxation.

By unanimous consent,

Mr. Wakeman, from the committee on commerce and navigation, to which was referred the petitions of Jas. I. Jones and others, for an increase of the rates of wharfage in New-York and Brooklyn, reported in writing, and offered the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

(See Doc. No. 112.)

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. H. Harris asked and obtained leave to bring in a bill entitled, "An act to confirm the title of E. M. Sagne to real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Briggs, from the select committee, to which was referred the bill entitled, "An act in relation to the bridges over the Croton river, in the county of Westchester," to report complete, reported that

the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

By unanimous consent,

Mr. Feller asked and obtained leave to bring in a bill entitled, "An act to amend the act entitled, 'An act to make certain pauper expenses town charges in Dutchess co.,' passed April 6, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the Dutchess co. delegation.

Mr. H. J. Allen, from the committee on public printing, to which was referred the report of the majority of the select committee appointed to investigate canal frauds, reported the following resolution :

Resolved, That twice the usual number of the report of the majority of the select committee of the last Legislature on the management of the canals, be printed for the use of the Legislature, and 300 for the majority of the committee.

Mr. Burroughs moved to amend by adding, "and that the report of the minority of said committee be printed in the same volume."

Mr. J. Benedict moved to lay the resolution and amendment on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. J. Benedict, and it was determined in the affirmative.

Mr. Bird, from the committee on the internal affairs of towns and counties, to which was referred the Senate bill entitled, "An act to authorise the election of two police justices in the town of Kingston," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Bird, from the committee on the internal affairs of towns and counties, to which was referred the petition of sundry inhabitants of the town and village of Mexico, Oswego co., for the passage of an act making said village a separate road district, reported, and asked and obtained leave to bring in a bill entitled, "An act to constitute that part of the town of Mexico, Oswego co., lying within the corporate limits of said village, a separate road district," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Elderkin, from the committee on banks and insurance companies, to which was recommitted the bill entitled, "An act to incorporate the Western savings bank of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Higby from the committee on Indian affairs, to which was referred the petition of 266 chiefs and warriors of the Seneca nation of Indians, praying for the repeal of the act of 1849, relating to the government of the Seneca nation of Indians, reported the following resolution.

Resolved, That it would be unwise to disturb the present organized government of the Seneca nation of Indians, that the change asked for would retard their progress in civilization.

Mr. Burroughs moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said report, and it was determined in the affirmative.

Mr. Ward, from the committee on charitable and religious societies, to which was referred the petition of the trustees of the Plainville Methodist Episcopal society, praying for the alteration of the name of said society, to the first Episcopal church of Dundee, reported, and asked and obtained leave to bring in a bill entitled, "An act to change the name of the Plainville Methodist Episcopal society, in the county of Yates," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Ward, from the committee on charitable and religious societies, to which was referred the petition of the odd fellows lodge of Richfield, Otsego co., for authority to hold real estate, reported adversely, and offered the following resolution, to wit :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Ward, from the committee on charitable and religious societies, to which was referred the petition of the morning star lodge No. 128 of the I. O. of O. F. at Chatham Four corners, for the passage of a law authorising said lodge to hold real estate, reported the following resolution.

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Burroughs, from the committee on colleges, academies and common schools, to which was referred the several petitions asking that Webster's dictionary may be placed in the several school district libraries of this State, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the State superintendent of common schools to purchase Webster's Unabridged Dictionary, for the use of the school districts of this State," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Graham, from the committee on public printing, to which was referred the resolution in relation to the printing of the report of the State medical society, reported the following resolution :

Resolved, That 15 times the usual number of the annual report of the State medical society be printed for the use of the Legislature, and 250 copies for the use of the society.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. O. Allen, from the committee on canals, to which was referred the petition of Joseph W. Sheffield and Dillis Sprague for relief, from damages caused by the erection of the Chenango canal, reported the following resolution :

Resolved, That the committee be discharged from the further consideration of the petition.

Mr Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. O. Allen, from the committee on canals, to which was referred the petition of Joseph Wood of Cayuga co., for relief from damages occasioned by the overflowing of the Erie canal, reported the following resolution :

Resolved, That the committee be discharged from the further consideration of the petition.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Lesley, from the committee on roads and bridges, to which was referred the bill entitled, "An act for the relief of the Middletown and Delhi Turnpike company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the petitions of sundry inhabitants of the towns of Moriah and North Hudson, Essex co., to sustain the present law in relation to tax on roads, reported the following resolution :

Resolved, That the committee be discharged from the further consideration of the petitions, and that they be referred to the committee on grievances.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Atwood offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the school bills before the House be made the special order for Monday next, immediately after reading the journal.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

By unanimous consent,

Mr. Tuthill, from the select committee, to which was referred the bill entitled, "An act to incorporate the New-York academy of medicine," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Graham, and by unanimous consent,

Resolved, That the manuscript report of the Surveyor General and

State Engineer be placed at the disposal of the committee on public lands, for whose information it was compiled

Mr. Varnum, from the committee on railroads, reported the following joint resolution :

Resolved, (If the Senate concur,) That the State Engineer be and he is hereby directed with all convenient despatch, to make a thorough examination and survey of the embankment across the Cayuga lake for the crossing of the Auburn and Rochester railroad, and to ascertain the amount of clear opening left in the said embankment for the passage of the water, and whether sufficient opening has been left for the free passage of the same, and whether the current of the lake has been changed by said embankment, and whether said embankment causes the water to be higher than ordinary at the head of the lake, or delays the ordinary subsiding of the water in times of freshet, and also to make a survey and examination of the outlet of said lake, and ascertain whether and by what means the same may be lowered, and report the result of all such examination and surveys to this or the next Legislature.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. Lyon,

Resolved, That the bill for the relief of Dean S. Howard be referred to the committee of the whole in charge of the bill for the relief of Nelson and Phillips.

On motion of Mr. Miles,

The House then, at twenty minutes past two o'clock, adjourned.

MONDAY, MARCH 17, 1851.

The House met pursuant to adjournment.

The minutes of Saturday were read and approved.

Mr. Varnum presented the memorial from the board of supervisors of the city and county of New-York, for an act relating to the courts of general sessions of the peace in and for the city and county of New-York, which was read and referred to the select committee consisting of the New York delegation.

Mr. Varnum presented the petition of Louis Bleedorn, praying for an investigation into the affairs of the German society of the city of New-York, and the revocation of their charter, which was read and referred to the select committee consisting of the New-York delegation.

Mr. Varnum presented the remonstrance of W. W. Groot and others, against the passage of the act in relation to the railroad from Sackett's Harbor to Ellisburgh, which was read and referred to the committee of the whole.

Mr. Fuller presented the petition of citizens of Dutchess and Ulster counties, for an act to establish a ferry between Tivoli, Dutchess co., and the village of Ulster, Ulster co., which was read and referred to the committee of the whole when on that subject.

Mr. Sherman presented two petitions of sundry inhabitants of the village of Poughkeepsie, for a law authorising a lamp district in said village, which were read and referred to a select committee consisting of the Dutchess co. delegation.

Mr. Corser presented the petition of 126 inhabitants of Caledonia, Livingston co., for aid to Genesee college, which was read and referred to the committee of the whole when on that subject.

Mr. Underwood presented the petition of Wilkins, Carter & Co., and nine other bookselling firms of the city of Boston, for an appropriation of so much of the public money as will place a copy of Webster's Unabridged Dictionary in each school district in this State, which was read and referred to the committee on colleges, academies and common schools.

Mr. Blackstone presented the petition of Samuel Fowler and others, to incorporate the Franklinite co. for the exportation and manufacture of the Franklinite ore, which was read and referred to the committee on commerce and navigation.

Mr. Blackstone presented the application of the college of physicians and surgeons, for aid from the Legislature, which was read and referred to the committee on ways and means.

Mr. G. Clark presented the remonstrance of owners and lessees of real estate, and others interested in the 16th ward of the city of New-York, against the passage of any special act conferring upon Colyer & Dugard, or any person or persons, firms or corporate bodies, the right to erect wooden or frame buildings of any description in that portion of the 16th ward situated within the fire limits of said city, which was read and referred to the select committee consisting of the N. Y. delegation.

Mr. Rouse presented the petition of 69 citizens of Paris, Oneida co., for a survey of a portion of a proposed national railroad, which was read and referred to the committee on railroads.

Mr. Brayton presented the petition of sundry citizens of Westernville, for the incorporation of the Westernville water works co., which was read and referred to the committee of the whole.

Mr. Brayton presented the remonstrance of sundry voters of Rome, against the passage of a law for the election of a police justice in Rome village, which was read and referred to the committee of the whole.

Mr. Hatch presented the petition of N. K. Whitney and 61 others, citizens of Oswego, for relief from an unequal assessment, which was read and referred to the committee on the internal affairs and counties.

Mr. H. Harris presented the petition of S. I. Van Zandt and other citizens of Watervliet, Albany co., praying that justices of the peace in that town shall not receive more than \$100 a year for services in

criminal cases, which was read and referred to the committee of the whole.

Mr. Ferris presented the petition of citizens of Ithaca, for the usual annual appropriation to Geneva college, which was read and referred to the committee of the whole.

Mr. Varnum presented two remonstrances of members of the bar of the city, against abolishing the office of clerk of the superior court, which were read and referred to the select committee consisting of the New-York delegation.

Mr. O. Allen presented the petition of Christian Schoffer and 90 citizens of Buffalo, for an act incorporating the journeymen tailors association of the city of Buffalo, which was read and referred to the select committee consisting of the Erie co. delegation.

Mr. H. J. Allen presented the remonstrance of citizens of New-York, against the continuation of the New-York and Erie railroad through New Jersey &c., which was read and referred to the committee on railroads.

Mr. E. Perry presented the petition of 230 inhabitants of the village of Coboes for a law to provide for a police justice for the said village, which was read and referred to the committee on the judiciary.

Mr. Lesley presented the petition of the tin, copper smiths. and other inhabitants of the city of Troy, for the passage of a law prohibiting tin peddlers from peddling in the city of Troy, under an adequate fine &c., which was read and referred to the committee on trade and manufacture.

Mr. E. Perry presented the petition of 90 inhabitants of Albany co., in relation to the validity of manor titles and rents of manor titles, which was read and referred to the select committee.

Mr. Miles presented five petitions of sundry inhabitants of Livingston, Steuben and Ontario cos., for an appropriation to enable the attorney general to procure testimony from Europe to test the title of the Pulteny and Hornby lands, which were read and referred to the committee on the judiciary.

Mr. Miles presented the remonstrance of 12 citizens of Springwater against allowing the trustees of the Pulteny and Hornby lands to perpetuate testimony, which was read and referred to the committee on the judiciary.

Mr. A. Smith presented the petition of 59 citizens of Chautauque co., Mr. Humphrey the petition of sundry citizens of Wyoming co., Mr. Graham the petition of inhabitants of the town of Hector, for the repeal or modification of the free school law, which were read and referred to the committee of the whole.

Mr. Coffin presented the petition of sundry citizens of Otsego co., Mr. A. Smith the petition of Allen Hinckley and 49 inhabitants of Chautauque co., Mr. Humphrey the petition of citizens of Wyoming co., Mr. Congdon the petition of citizens of Allegany co., for the regulation and suppression of intoxicating drinks, which were read and referred to the committee of the whole.

On motion of Mr. Gleason,

Resolved, That the new iron safe, now located between desk No. 20 and the Speaker's chair, be forthwith removed to the cloak-room, or to some other more suitable position.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to authorise the election of officers in the village of Silver Creek," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to amend an act to amend and consolidate the several acts relating to the city of Utica, passed March 31, 1849," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to amend the charter of the village of Herkimer," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act extending the boundaries and reincorporating the village of Ogdensburgh," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the Senate bill entitled, "An act to confirm and amend the charter of the village of Morrisville," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Wheeler from the committee on ways and means, to which was referred so much of the Governor's message as relates to the support of government, reported, and asked and obtained leave to bring in a bill entitled, "An act making appropriations for the support of the government for the fiscal year commencing October 1, 1851," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to authorise Elisha B. Hogmire to change his name," reported that the committee had examined said

bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of Philip J. Bonsteel, for a release of certain lands in the city of New-York escheated by the death of Arthur McCarter, reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of Philip J. Bonsteel," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to authorise the county clerk of Chautauque co. to procure a new seal," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to repeal the several acts to provide for the publication of the reports of the court of appeals," reported that the committee had examined said bill, and had come to the conclusion that the same ought not to be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petitions of Joseph Fellows and John Greig, for the perpetuation of certain testimony, reported, and asked and obtained leave to bring in the bills entitled as follows :

"An act to provide for perpetuating certain testimony relating to the title of the Pulteny estate in this State," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

"An act to provide for perpetuating certain testimony relating to the title of the Hornby estate in this State," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of sundry citizens of New-York city, praying that the Commissioners of Emigration may be elected in the same manner as governors of the alms-house, reported the following resolution :

Resolved, That the committee be discharged from the further consideration of the subject, and that it be referred to a select committee to consist of the N. Y. delegation.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of sundry citizens of Allegany co., praying that grand juries may be dispensed with at the courts of sessions held in and for said county, reported the following resolution :

Resolved, That the committee be discharged from the further consideration of the petition.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Townsend, from the committee on the judiciary, to which was referred the memorial of citizens of Lowville, Lewis co., for relief from mistakes made by the assessors of said town, reported the following resolution :

Resolved, That the committee be discharged from the further consideration of the petition, and that it be referred to the select committee on assessments.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of sundry inhabitants of the city of New-York, for the passage of an act to incorporate the New-York independent freehold building association, reported the following resolution :

Resolved, That the committee be discharged from the further consideration of the petition.

Mr. Speaker put the question whether the House would agree to the said report, and it was determined in the affirmative.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act for the presentation of a copy of the Natural History of the State of New-York, to the library of the executive mansion at Washington," reported the following resolution :

Resolved, That the committee be discharged from the further consideration of the bill, and that it be referred to the joint library committee.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Lesley, from the committee on roads and bridges, to which was referred the petition of the president and directors of the Eastern Union turnpike co., to annul a part of their road, reported, and asked and obtained leave to bring in a bill entitled, "An act to annul a part of the Eastern union turnpike road," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. L. Harris, from the committee on militia and public defence, to which was referred the Senate bill entitled, "An act for the enrolment of the militia, to abolish militia fines in certain cases, and to exempt members of uniformed companies from working on highways and serving on juries," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said report be committed to the committee of the whole.

Mr. Wakeman offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That three times the usual number of the report and amendments to the Senate bill entitled, "An act for the enrolment of

the militia &c.," be printed for the use of the House, and also three times the usual number of the bill introduced by Mr. Elderkin.

Mr. Pardee moved to lay the resolution on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Pardee, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Sherman, from the committee on claims, to which was referred the petition of the Cayuga nation of Indians for the payment of annuities due to said nation from the State of New-York, reported the following resolution :

Resolved, That the committee be discharged from the further consideration of the petition, and that it be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Sherman, from the committee on claims, to which was referred the petition of George Hawkins of Western, Oneida county, for a new appraisal of his canal damage, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the re-appraisal of canal damages in the case of Bridget Hawkins and others," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to organize and establish a bank department."

"An act to preserve the purity of certain streams used to supply the city of Albany with pure water."

"An act to incorporate the New-York academy of medicine."

"An act in relation to bridges over the Croton river in the county of Westchester."

Ordered, That said bills be read a third time.

Mr. H. Harris, from the joint library committee, to which was referred the bill entitled, "An act for the presentation of a copy of the Natural History of the State of New-York, to the library of the executive mansion at Washington," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Wakeman, from the committee on ways and means, to which was referred the bill entitled, "An act for the relief of the free library of the general society of mechanics and tradesmen of the city of New-York," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Chamberlin, from the committee on grievances, to which was referred the petition and remonstrance of citizens of North Hudson

and Moriah, in relation to a tax on a certain road, reported, and asked and obtained leave to bring in a bill entitled, "An act to repeal an act entitled, 'An act to aid in repairing and improving the road leading from the State road in North Hudson to Mill Brook in the town of Moriah,'" which was read the first time and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Varnum, from the committee on railroads, to which was referred several petitions praying for the appointment of commissioners to survey the route for a proposed new railroad from the Hudson river to the western part of this State, reported the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Briggs, from the select committee, to which was referred the bill entitled, "An act to renew the charter of the State road, from the Orange turnpike to New-York in the county of Rockland, as passed on the 20th day of April 1830," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Doyle, from the select committee, to which was referred the bill entitled, "An act for the relief of Elihu C. Wright," to report complete, reported that the committee had gone through said bill and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Doyle, from the select committee, to which was referred the bill entitled, "An act to confirm the acts of Torry J. Luce, a justice of the peace of the town of Hartwick in the county of Oswego," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Hewit, from the select committee, to which was referred the bill entitled, "An act to amend an act passed April 26, 1831, to incorporate the village of Plattsburgh," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the select committee, to which was referred the bill entitled, "An act to incorporate the Yonkers Ferry co.," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Gleason, from the select committee, to which was referred the

bill entitled, "An act to provide for the collection of unpaid fees and perquisites for official services rendered by county judges and surrogates which accrued upon or after the first Monday of July, 1847, and prior to the second day of April, 1849," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Gleason, from the select committee, to which was referred the bill entitled, "An act to amend an act entitled, 'An act to incorporate the village of Franklin, in the county of Delaware,' passed May 12, 1836," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Bottum, from the select committee, to which was referred the bill entitled, "An act to incorporate the Watson agricultural institute," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Bottum, from the select committee, to which was referred the bill entitled, "An act to authorise the supervisors of the county of Wayne to levy a tax upon the town of Lyons, in said county, for the purpose of building a bridge over the Clyde river, on the Geneva road," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

Mr. J. Benedict, from the select committee, to which was referred the bill entitled, "An act to enable Jean Baptiste Feriere, Jean Baptiste Haroa, Catherine Marguerite Feriere and Marie Antoinette Cubelier to take, hold and convey real estate," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

Mr. Miles, from the select committee, to which was referred the bill entitled, "An act to enable the attorney general to procure certain testimony, and to defray the expenses thereof," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Stevens, from the select committee, to which was referred the bill entitled, "An act to change the name of the first Presbyterian church of Brittons settlement in Onondaga county," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Stevens, from the select committee, to which was referred the bill entitled, "An act in relation to highways and roads," to report

complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Stevens, from the select committee, to which was referred the bill entitled, "An act to release to the owners of farm lots 256 and 257 in the Onondaga salt springs reservation, all the interest of the State therein," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Stevens, from the select committee, to which was referred the bill entitled, "An act to amend the act entitled, 'An act to authorise the abatement of a nuisance on lands owned by the people of the State of New-York, and other lands in the city of Syracuse,' passed January 25, 1849," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Stevens, from the select committee, to which was referred the bill entitled, "An act to amend an act passed March 29, 1848, to improve the Cayuga creek road in the county of Erie, and amended March 27, 1849," to report complete, reported that the committee had gone through said bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Wakeman, from the select committee, to which was referred the bill entitled, "An act to alter the map or plan of the city of New-York, by changing the permanent exterior line in the East river between 18th st. and 23d st.," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Wakeman, from the select committee, to which was referred the bill entitled, "An act to amend the act to incorporate the emigrant industrial savings bank," passed April 10, 1850," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

Mr. Fordyce, from the select committee, to which was referred the bill entitled, "An act to authorise the inhabitants of the town of Pittsford to raise money by tax to lay out and open a certain road in the county of Monroe," to report complete, reported that the committee had gone through said bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Corser, from the select committee, to which was referred the bill entitled, "An act to authorise the board of supervisors of the several counties in this State, to make the office of district attorney a salaried office, and to fix the salary thereof," to report complete, re-

ported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Yeomans, from the select committee, to which was referred the bill entitled, "An act to authorise the county clerk of Wayne county to record a certain deed," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Cady, from the select committee, to which was referred the petition of the supervisors of the county of Kings, for the passage of the following act, reported, and asked and obtained leave to bring in a bill entitled, "An act to extend the time for the board of supervisors of the county of Kings to issue warrants to the collectors of taxes and assessments of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Varnum, from the select committee, to which was referred the bill entitled, "An act in relation to mortgages taken by the commissioners for loaning certain moneys of the United States," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Varnum, from the select committee consisting of the New-York delegation, to which was referred the memorial of the mayor, aldermen and commonalty of the city of New-York, praying the passage of several bills, reported, and asked leave to bring in the bills entitled as follows :

"An act to authorise the mayor, aldermen and commonalty of the city of New-York, to raise money by loan and to create a public fund or stock to be called, public building stock No. 3," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

"An act to authorise the mayor, aldermen and commonalty to raise money by loan, and to create a public fund or stock to be called Croton water stock of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

"An act to authorise the mayor, aldermen and commonalty of the city of New-York, to raise money by loan and to create a public fund or stock to be called the New-York five per cent stock for docks and slips," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Varnum, from the select committee, to which was recommitted the bill entitled, "An act to enable the supervisors of the city and county of New-York to raise money by tax," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. O. Allen moved to suspend the 4th standing rule, in order to allow the following entitled bills to be referred to select committees to report complete, to wit :

"An act to extend the time for the board of supervisors of the county of Kings to issue warrants to the collector of taxes and assessments of the city of Brooklyn."

"An act to provide for the election of an additional supervisor in the city of Schenectady."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the affirmative.

Mr. Cady offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the bill entitled, "An act to extend the time for the board of supervisors of the county of Kings to issue warrants to the collector of taxes and assessments of the city of Brooklyn," be referred to a select committee consisting of the Kings co. delegation with power to report complete.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Bird offered for the consideration of the House, a resolution in the words following, to wit:

• **Resolved,** That the bill entitled, "An act to provide for the election of an additional supervisor in the city of Schenectady," be referred to a select committee with power to report complete.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. H. Harris, from the select committee, to which was referred the bill entitled, "An act to amend an act entitled, 'An act to provide for the assessment and collection of taxes in the city of Albany,' passed March 23, 1850," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. H. Harris, from the select committee, to which was referred the bill entitled, "An act further to amend an act entitled, 'An act to incorporate the Albany cemetery association,' passed April 20, 1841," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Wooster, from the select committee, to which was referred the bill entitled, "An act to amend section twenty-fourth, of art. third, title first, part second, of the Revised Statutes, relating to the discharge of insolvent debtors," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Wooster, from the select committee consisting of the Herkimer co delegation, to which was referred the Senate bill entitled, "An act to incorporate the Frankfort water works company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Cady, from the select committee, to which was referred the bill entitled, "An act to extend the time for the board of supervisors of the county of Kings to issue warrants to the collector of taxes and assessments of the city of Brooklyn," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

On motion of Mr. Cady, and by unanimous consent,

The said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Bushnell	Fordyce	Le Roy	E. T. Smith
O. Allen	Cady	Gleason	Lesley	Southwick
Atwood	Chamberlin	Graham	McLouth	Stillwell
R. Babcock	J. F. Clark	H. Harris	Miles	Swords
J. W. Babcock	Coffin	L. Harris	Minier	Speaker
Baker	Colvin	Hatch	Moss	A. A. Thompson
Barney	Cooke	Heath	Pardee	Townsend
Belknap	Congdon	Hewitt	E. Perry	Tuthill
J. Benedict	Corser	Horton	J. L. Perry	Underwood
Birt	Davis	Hoppin	Pool	Varnum
Blackstone	Dennison	Humphrey	Rouse	Wakeman
Bottum	Dewey	Jayne	Rumsey	Ward
Bowne	Doyle	Kinsley	W. Russell	Welden
Bradley	Elderkin	Kellogg	Ryan	Wheeler
Brayton	Farr	Lake	Sherman	Wooster
Briggs	Ferris	Lawyer	Sickles	Wright
Burroughs	Feller	Leggett	A. Smith	Yeomans 85

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

Mr. Welden, from the select committee, to which was referred the bill entitled, "An act to authorise the commissioners of highways of the town of Schroon to borrow money," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Wakeman, from the select committee, to which was referred the bill entitled, "An act to authorise the construction of a draw bridge

across the Fresh kills, in Richmond county," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

A message from the Senate was received and read, informing that they have concurred in the passage of the resolution in the words following, to wit :

Resolved, (If the Senate concur,) That on Tuesday, the 18th day of March, 1851, at twelve o'clock, noon, the Legislature will proceed to elect a Regent of the University, to fill the place of the late Peter Wendell, M. D., such election to be conducted in the same manner as is required by law in the election of United States Senator.

Mr. Speaker announced the following select committee on bill No. 228, providing for the election of an additional supervisor in the city of Schenectady, to report complete : Messrs. Bird, Yeomans and A. Smith.

The bill entitled, "An act in relation to bridges over the Croton river in the county of Westchester," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are;

H. J. Allen	Chamberlin	Graham	McLouth	Snell
O. Allen	J. F. Clark	H. Harris	Miles	Southwick
Atwood	Coffin	L. Harris	Minier	Stevens
J. W. Babcock	Colvin	Hatch	Moss	Stilwell
Baker	Cooke	Heath	Pardee	Swords
Barnes	Congdon	Higby	E. Perry	Speaker
Belknap	Corser	Hoppin	J. L. Perry	A. A. Thompson
J. Benedict	Davis	Humphrey	Pool	Tuthill
Bird	Deanison	Ingersoll	Rouse	Varnum
Blackstone	Dewey	Kinsley	Rowe	Wakeman
Bottum	Doyle	Kellogg	W. Russell	Ward
Bowne	Elderkin	Lake	Ryan	Welden
Bradley	Farr	Lawyer	Sherman	Wheeler
Brayton	Ferris	Leggett	Sickles	Wooster
Briggs	Feller	Le Roy	A. Smith	Wright
Bushnell	Gleason	Lesley	E. T. Smith	Yeomans
Cady				

81

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to incorporate the New-York academy of medicine," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 67 }
{ NOES 01 }

Those who voted in the affirmative are,

H. J. Allen	Bushnell	H. Harris	McLouth	A. Smith
O. Allen	Cady	L. Harris	Miles	E. T. Smith
Atwood	Chamberlin	Hatch	Minier	Southwick
J. W. Babcock	J. F. Clark	Heath	Moss	Stevens
Baker	Coffin	Horton	Pardee	Stilwell
Barnes	Colvin	Hoppin	E. Perry	Stratton
Belknap	Cooke	Kinsley	J. L. Perry	Swords
Bird	Corser	Kellogg	Pool	A. A. Thompson
Blackstone	Dennison	Lake	Rouse	Tuthill
Bottum	Dewey	Lawyer	Ryan	Underwood
Bowne	Doyle	Leggett	Shall	Varnum
Bradley	Ferris	Lesley	Sherman	Ward
Brayton	Gleason	Lewis	Sickles	Welden
Briggs	Graham			

67

For the negative,

Speaker

1

Ordered, That the Clerk return the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to preserve the purity of certain streams used to supply the city of Albany with water," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members-elect to the Assembly voting in favor thereof, as follows :

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Burrongs	Hatch	McLouth	Southwick
O. Allen	Bushnell	Heath	Miles	Stevens
Atwood	Chamberlin	Higby	Minier	Stilwell
J. W. Babcock	J. F. Clark	Horton	Moss	Stratton
Baker	Coffin	Hoppin	Pardee	Swords
Barnes	Colvin	Humphrey	E. Perry	Speaker
Belknap	Corser	Jayne	Pool	A. A. Thompson
J. Benedict	Davis	Kinsley	Rouse	Tuthill
Bishop	Elderkin	Kellogg	Rowe	Wakeman
Blackstone	Ferris	Lake	W. Russell	Ward
Bottum	Fordyce	Lawyer	Ryan	Welden
Bowne	Gilbert	Leggett	Shall	Wheeler
Bradley	Gleason	Le Roy	Sherman	Wooster
Brayton	Graham	Lesley	A. Smith	Yeomans
Briggs	H. Harris	Lewis	E. T. Smith	

74

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The Senate bill entitled, "An act to authorize the election of two police justices in the town of Kingston," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	H. Harris	Lesley	A. Smith
O. Allen	J. F. Clark	L. Harris	Lewis	E. T. Smith
Atwood	Coffin	Hatch	McLouth	Southwick
J. W. Babcock	Colvin	Heath	Miles	Stevens
Barnes	Congdon	Hewit	Minier	Stratton
Belknap	Corser	Higby	Moss	Swords
J. Benedict	Davis	Horton	Pardee	Speaker
Bird	Dennison	Hoppin	E. Perry	A. A. Thompson
Bottom	Dewey	Humphrey	J. L. Perry	Tuthill
Bowne	Doyle	Jayne	Pool	Underwood
Bradley	Elderkin	Kinsley	Rouse	Yarnum
Brayton	Ferris	Kellogg	Rowe	Wakeman
Briggs	Fitzhugh	Lake	Ryan	Welden
Burroughs	Gilbert	Lawyer	Shall	Wheeler
Bushnell	Gleason	Leggett	Sherman	Wooster
Cady	Graham	Le Roy	Sickles	Yeomans 80

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Townsend moved to take up the resolution offered to reconsider the vote taken on the passage of the bill entitled, "An act respecting the time of payment of drafts or bills of exchange drawn or made payable at sight."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Townsend, and it was determined in the negative.

{ AYES 56 }
{ NOES 22 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

O. Allen	J. F. Clark	L. Harris	Lyon	Swords
Baker	Coffin	Hatch	Moss	Speaker
Barnes	Cooke	Heath	E. Perry	Townsend
Belknap	Congdon	Higby	Rouse	Tuthill
Bird	Corser	Horton	W. Russell	Underwood
Blackstone	Dewey	Humphrey	Ryan	Yarnum
Bradley	Elderkin	Jayne	Sherman	Wakeman
Brayton	Fitzhugh	Kellogg	Sickles	Ward
Briggs	Fordyce	Lake	A. Smith	Wooster
Cady	Graham	Le Roy	Stevens	Wright
Campbell	H. Harris	Lesley	Stilwell	Yeomans
Chamberlin				56

Those who voted in the negative are,

Atwood	Davis	Gilbert	Miles	Shall
J. Benedict	Dennison	Hoppin	Minier	E. T. Smith
Burroughs	Dougherty	Leggett	Pardee	Stratton
Bushnell	Doyle	McLouth	J. L. Perry	A. A. Thompson
Colvin	Ferris			22

By unanimous consent,

Mr. Burroughs offered for the consideration of the House, a resolution, in the words following, to wit :

Resolved, That private claim bills be made the special order for Wednesday immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

Mr. Speaker announced the special order.

Mr. Wheeler moved to lay the special order on the table for five minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wheeler, and it was determined in the affirmative.

By unanimous consent,

Mr. Wheeler gave notice that he would, at an early day, move to suspend the 57th rule of this House.

By unanimous consent,

Mr. O. Allen gave notice that he would, at some future day, move to suspend the fourth standing rule of the House.

By unanimous consent,

Mr. O. Allen gave notice that he would, at an early day, ask leave to introduce a bill to incorporate a company to build a suspension bridge across the Niagara river at Black Rock in the county of Erie.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled, as follows, to wit:

"An act to alter the map or plan of the city of New-York, by changing the permanent exterior line on the East river between 18th street and 23d street."

Ordered, That said bill be read the third time.

The bill entitled, "An act to alter the map or plan of the city of New-York by changing the permanent exterior line on the East river between Eighteenth street and Twenty-Third street," coming up for its third reading.

Mr. Ward moved to lay said bill on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Ward, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

\ { AYES 66 }
 { NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Corser	Horton	E. Perry	Swords
Baker	Davis	Hoppin	J. L. Perry	Speaker
Bolknapp	Dennison	Humphrey	Pool	A. A. Thompson
Bradley	Dewey	Jayne	Rouse	Townsend

Brayton	Dougherty	Kellogg	W. Russell	Tutill
Briggs	Doyle	Lake	Shall	Varnum
Burroughs	Ferris	Lawyer	Sherman	Wakeman
Cady	Fitzhugh	Loggett	Sickles	Ward
Chamberlin	Fordyce	Le Roy	A. Smith	Welden
J. F. Clark	Gilbert	Le Roy	E. T. Smith	Whitely
Coffin	Gleason	McLouth	Southwick	Wooster
Colvin	Graham	Miles	Stevens	Wright
Cooke	Hatch	Pardee	Stilwell	Yeomans
Congdon				

66

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Speaker then announced the special order.

Mr. Thompson moved to suspend the special order three minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Thompson, and it was determined in the affirmative.

Mr. Thompson moved to lay this order of business, being that of the third reading of bills, on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Thompson, and it was determined in the affirmative.

Mr. Thompson offered for the consideration of the House, a resolution in the words following, to wit :

WHEREAS, On the ninth day of January last, resolutions sustaining the recent compromise measures of Congress, including the fugitive slave act, were introduced to this House by a member thereof, and on the 14th day of the same month referred to the committee on the judiciary : And whereas, several members of said committee promised long ago, to make a speedy report thereon, but have wholly failed so to do : therefore

Resolved, That said committee have been guilty of gross injustice towards the member of this House offering said resolutions, as well as the people of this State, who are in favor of expressing their devotion to the Union, the Constitution and the laws, and that said committee are hereby instructed to report upon said resolutions as early as the 25th day of the present month.

Debate being had thereon,

Ordered, That the said resolution be laid upon the table.

Mr. Speaker then announced the special order.

The House then resolved itself into a committee of the whole, on the bill entitled, as follows, to wit :

"An act to amend the act entitled, 'An act incorporating the Sackett's Harbor and Saratoga railroad co.,' passed April 10, 1848."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Baker, from said committee, reported progress on said bill and asked and obtained leave to sit again.

In pursuance of previous notice, Mr. Sherman asked for and obtained leave to bring in a bill entitled, "An act to establish a lamp district in the village of Poughkeepsie, and to provide for the enlarging such district and lighting the same," which was read the first

time, and by unanimous consent was also read a second time, and referred to the committee on the internal affairs of towns and counties.

Mr. Ferris gave notice that he would, at an early day, ask leave to introduce a bill to provide for the deepening the outlet of Cayuga lake and the lowering of said lake.

Mr. Ward gave notice that he would, at a future day, ask leave to offer a resolution suspending the 4th rule of this House, so far as relates to the bill providing for the incorporation of savings banks.

Mr. Colvin gave notice that he would, at some future day, ask leave to bring in a bill in relation to the Cato and Victory plank road company.

In pursuance of previous notice, Mr. Lesley asked for and obtained leave to bring in a bill entitled, "An act to amend the act entitled, 'An act to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in other states and territories,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Varnum asked for and obtained leave to introduce a bill entitled, "An act to incorporate the society for the relief of the destitute children of seamen," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. Varnum asked for and obtained leave to introduce a bill entitled, "An act to amend an act entitled, 'An act for the more effectual collection of taxes and assessments in the city of New-York,' passed April 12, 1816," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the New-York delegation.

Mr. Underwood moved to suspend the 4th standing rule, so as to allow the two bills in relation to the claim of Hotchkiss and Smith for damages occasioned by fire at the state prison at Sing Sing, to be referred to select committees to report complete.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Underwood, and it was determined in the affirmative.

Mr. Burroughs offered for the consideration of the House, a resolution, in the words following, to wit:

Resolved, That the bills relating to common schools be made the special order for to-morrow at 12 o'clock.

Mr. Townsend moved to amend by substituting Wednesday for to-morrow.

Mr. Burroughs moved to amend by substituting to-morrow at 10 minutes before 12 for Wednesday.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Lyon offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the bill in relation to the Sackett's Harbor railroad be made the special order for Wednesday at four o'clock.

Mr. Wakeman moved to amend by adding, "and this evening at seven o'clock."

Mr. Speaker put the question whether the House would agree to the said amendment, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. H. J. Allen,

Resolved, That the committee of the whole be discharged from the further consideration of the Assembly bill No. 61, and that the same be engrossed for a third reading.

On motion of Mr. Underwood,

Resolved, That the bills entitled, "An act for the relief of Abijah Fitch, Thos. M. Hunt and Henry H. Cady, assignees of Horace Hotchkiss and Wm P. Smith," and "An act providing for the appointment of commissioners to investigate the claims of Hotchkiss and Smith against the agent of the Sing Sing prison, and arbitrate and settle all matters of difference between the said agent, of the one part, and said Hotchkiss and Smith and their assignees of the other," be referred to a select committee to report complete.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Graham gave notice that he would, at an early day, ask leave to introduce a bill to amend the Revised Statutes in relation to excise.

Mr. Wakeman gave notice that he would, at an early day, move to suspend the fourth rule for the purpose of ordering the bills No. 360 and 361 relative to the marine hospital and emigration laws, to a select committee of five with power to report complete; also Senate bill concerning passengers arriving at ports of entry or but of the city of New-York.

On motion of Mr. Wakeman,

Resolved, That ten times the usual number of the reports of the select committee on excise be printed.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend an act entitled, 'An act in relation to justices and police courts in the city of New-York,' passed March 30, 1848."

"An act to amend article first, title third, chapter seventh, part third of the Revised Statutes entitled, 'Of taking conditionally the testimony of witnesses within this State.'"

"An act to incorporate the ladies' union aid society of the Methodist episcopal church in the city of New-York."

Ordered, That said bills be read a third time.

Mr. J. F. Clark called for the consideration of the resolution heretofore offered by Mr. W. F. Russell in the words following, to wit:

Resolved, That the select committee having in charge the investigation of a contested seat in this House between Messrs. Jayne and

Underwood of Yates co., be requested to report forthwith to this House the result of their investigation."

Mr. J. F. Clark moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. J. F. Clark, and it was determined in the affirmative.

On motion of Mr. Varnum,

Resolved, That the bill in relation to the Sackett's Harbor and Ellburgh railroad company, be taken from the committee of the whole and recommitted to the railroad committee.

By unanimous consent,

Mr. Bird asked and obtained leave to bring in a bill entitled, "An act to amend an act for the incorporation of villages, passed Dec. 7, 1847," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

On motion of Mr. Moss,

Resolved, That the bills from the Senate for the relief of Geo. H. Boughton, Charles A. Daniels and others, Solomon Parmelee, and Wm. Buell and others, be referred to the same committee of the whole having in charge the bill for the relief of Thos. E. Buchanan and Solomon Card.

By unanimous consent,

Mr. Ryan asked and obtained leave to bring in a bill entitled, "An act to abolish the office of clerk of the superior court of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the New-York delegation.

On motion, leave of absence was granted to Mr. Carrington for three days.

On motion of Mr. Campbell,

Resolved, That the petition and other papers in the matter of Morris L. Martin, of Brooklyn, be taken from the files and referred to a select committee of three.

Mr. Townsend moved to lay this order of business, being that of motions, resolutions and notices, on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Townsend, and it was determined in the negative.

On motion,

Resolved, That bill No. 181 be committed to the committee of the whole.

Mr. Underwood gave notice that he would, at some future day, move to suspend the 4th rule of this House, so far as relates to the village of Owego.

Mr. Underwood moved to reconsider the vote taken on the resolution adopted this morning, ordering the engrossment of Assembly bill No. 61.

Mr. Tuthill moved to lay said motion on the table.

Mr. Speaker put the question whether the House would agree to

the said motion of Mr. Tuthill, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Underwood, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

The House then took a recess until 4 o'clock.

FOUR O'CLOCK P. M.

The House again met.

By unanimous consent,

Mr. Stewart asked and obtained leave to bring in a bill entitled, "An act requiring the county treasurer of the county of Fulton to refund and pay over certain surplus school moneys to the supervisor, overseers of the poor and commissioners of highways of certain towns in said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

Mr. W. F. Russell, from the select committee, to which was referred the Senate bill entitled, "An act to authorize the Brabant plank road company to construct their road three rods wide," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

Mr. W. F. Russell, from the select committee, to which was referred the Senate bill entitled, "An act to authorize the Union plank road co., of the town of Kingston, to establish gates and regulate tolls upon their roads," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

Mr. W. F. Russell, from the select committee, to which was referred the bill entitled, "An act to amend an act entitled, 'An act concerning the district attorney in the county of Ulster,' passed May 14, 1845," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. W. F. Russell, from the select committee, to which was referred the bill entitled, "An act to revive and extend an act authorising John Low and others to erect and maintain a rolling dam across the Susquehanna river in the town of Milford, county of Otsego," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Bottum gave notice that he would, at an early day, ask leave to introduce a bill in relation to draining and reclaiming the lands known as the Cayuga marshes.

Mr. Bird offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That three-fourths of the number of the report of the canal committee on the enlargement of the Erie canal be put up in paper covers, in the manner of those for public officers.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

The House then resolved itself into a committee of the whole, on the bill entitled, as follows, to wit:

"An act to revive and amend the several acts to incorporate and increase the capital stock of the Sodus canal company."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. A. A. Thompson, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Townsend moved that said bill be made the special order for to-morrow immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Townsend, and it was determined in the affirmative.

On motion of Mr. Miles,

The House then resolved itself into a committee of the whole on the bills entitled, as follows, to wit:

"An act to provide for building a court house and jail in the town of Addison, in the county of Steuben, and the holding courts in and for said county alternately at Bath and Addison."

"An act for the payment to Wm. George Barnhart, Jacob Barnhart, George Robertson, George Gallinger and George Saetzinger, of the amount of their damages, appraised by commissioners appointed under an act passed April 10, 1850."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. A. A. Thompson, from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again.

Mr. A. A. Thompson, from said committee, reported that the committee had gone through said last mentioned bill, and agreed to the same without amendment, which report was agreed to.

On motion of Mr. O. Allen, and by unanimous consent,

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act for the relief of Thomas J. Strong and Geo. W. Cheeny."

"An act to change the name of William H. Pearce to Henry Winter."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Tutbill, from said committee, reported that the committee had gone through said bills, and agreed to the same with amendments to said last mentioned bill, which report was agreed to.

On motion of Mr. Feller,

The House then, at half-past seven o'clock, adjourned.

TUESDAY AND WEDNESDAY, MARCH 18th AND 19th, 1851.

The House met pursuant to adjournment,

Prayer by the Rev. Mr. Miller.

The minutes of yesterday were read and approved.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled, as follows, to wit:

"An act to amend the act to incorporate the emigrants industrial savings bank, passed April 10, 1850."

"An act to amend an act passed March 29, 1848, to incorporate the Cayuga Creek road in the county of Erie, and amended March 27, 1849."

"An act to amend the act entitled, 'An act to authorise the abatement of a nuisance on lands owned by the people of the State of New-York, and other lands in the city of Syracuse,' passed January 25, 1849."

"An act in relation to highways and roads."

"An act to change the name of the first Presbyterian church of Britton's settlement in Onondaga county."

"An act to incorporate the city of Williamsburgh."

"An act for the payment to William George Barnhart, Jacob Barnhart, George Robertson, George Gallinger and George Switzinger, of the amount of their damages appraised by commissioners appointed under an act passed April 10, 1850."

"An act to authorise the inhabitants of the town of Pittsford to raise money by tax to lay out and open a certain road in the county of Monroe."

"An act further to amend an act entitled, 'An act to incorporate the Albany cemetery association,' passed April 20, 1841."

"An act to amend an act entitled, 'An act to provide for the assessment and collection of taxes in the city of Albany,' passed March 23, 1850."

"An act to authorise the board of supervisors of the several counties in this State, to make the office of district attorney a salaried office, and to fix the salary thereof."

Ordered, That said bills be read the third time.

Mr. Speaker announced the special order.

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act to revive and amend the several acts to incorporate and to increase the capital and extend the powers of the Sodus canal company."

Pending its consideration, the hour of 11 o'clock and 50 minutes having arrived,

Mr. Speaker resumed the chair and announced the special order for this hour.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to establish free schools throughout the State."

"An act to provide for the support of common schools."

"An act to legalize the acts of several school districts of this State providing for the support of common schools."

Senate bill entitled, "An act to authorize railroad corporations of this State to subscribe to the capital stock of the Great Western railroad, Canada West."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Heath, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled as follows :

"An act to revive and amend the several acts to incorporate and to increase the capital and extend the powers of the Sodus canal company."

Pending consideration of the same, the hour of twelve o'clock having arrived, pursuant to the concurrent resolution of the Senate and Assembly, the House proceeded to nominate a Regent of the University in the place of Peter Wendell, deceased, when each member present openly nominated as follows :

FOR J. N. CAMPBELL,

O. Allen	Brayton	Gilbert	McLouth	Southwick
Atwood	Briggs	Gleason	Macomber	Stevens
J. W. Babcock	Cady	Graham	Miles	Swords
Baughman	Chamberlin	H. Harris	Moss	Speaker
Baker	Cooke	Heath	Payson	Townsend
Belknap	Corser	Hewitt	J. L. Perry	Tuthill
J. Benedict	Dewey	Humphrey	Rouse	Underwood
T. H. Benedict	Douglass	Ingersoll	Rowe	Varnum
Bird	Farr	Kellogg	Rumsey	Wakeman
Bishop	Ferris	Lake	Ryan	Weldon
Blackstone	Feller	Langdon	Severance	Wheeler
Bottum	Fitzhugh	Leggett	Sherman	Whiteside
Bradley	Fordyce	Lesley	A. Smith	Yeomans

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FOR W. L. MARCY,

R. Babcock	Dougherty	Kinsley	Pool	E. T. Smith
Barnes	Doyle	Lawyer	Rider	Stillwell
Bushnell	Elderkin	Lewis	W. Russell	Stratton
J. F. Clark	French	Minier	W. F. Russell	O. C. Thompson
Colvin	Hatch	Noble	Shall	Wooster
Congdon	Higby	E. Perry	Sickles	Wright
Davis	Horton			

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FOR T. ROMEYN BECK,

H. J. Allen

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FOR HENRY R. CURTIS,

Burrroughs

1

FOR HENRY GREGORY,

Le Roy

1

FOR D. S. DICKINSON,

A. A. Thompson

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On motion of Mr. Wheeler,

Resolved, That John N. Campbell be and he is hereby nominated on the part of the Assembly a Regent of the University, in the place of Peter Wendell, deceased.

On motion of Mr. Wheeler,

Resolved, (If the Senate concur,) That the Assembly will immediately meet the Senate in the Assembly chamber, to compare their respective nominations for the office of Regent of the University.

Mr. D. Noble presented the petition of inhabitants of Warren co., for the laying out of a public highway from Johnsburgh to Wells, which was read and referred to the committee of the whole.

Mr. Fitzhugh presented the remonstrance of sundry inhabitants of Rochester, against the use of the Erie canal from the Montezuma level for any other than State purposes, which was read and referred to the committee of the whole.

Mr. E. Perry presented the remonstrance of 81 citizens of Cohoes, against the passage of an act in relation to police justice, which was read and referred to the committee on the judiciary.

Mr. Bishop presented the petition of the mayor of Hudson, for an act authorising the election of a recorder for said city, which was read and referred to the committee on the judiciary.

Mr. Cady presented the remonstrance of members of the bar of Brooklyn, against the repeal of the act of 1849, constituting the city court of Brooklyn, which was read and referred to the committee on the judiciary.

Mr. Kellogg presented the petition of Abijah Fitch and others of Cayuga co., for the appointment of a committee to investigate certain claims against the State, which was read and referred to the select committee.

Mr. Cady presented the remonstrance of Daniel and Truman Richards to grant Wm. Beard the right to erect certain wharves in the sixth ward of Brooklyn, which was read and referred to the select committee consisting of the Kings county delegation.

Mr. Le Roy presented the remonstrance of citizens of Otsego, against the Sodus Bay canal, which was read and referred to the committee of the whole.

Mr. Briggs presented the resolution of town superintendents of common schools of Westchester co., Mr. Noble the petition of citizens of Warren co., for modification or repeal of the free school law, which were read and referred to the committee of the whole.

Mr. Bradley presented two petitions of sundry citizens of Cayuga co., Mr. Higby one petition of citizens of Steuben co., Mr. A. Smith one petition of citizens of Chautauque co., for suppression or regulation of the traffic in intoxicating drinks, which were read and referred to the committee of the whole.

On motion of Mr. Townsend,

Resolved, That this House will not take a recess this afternoon, and that it will continue in session until an adjournment.

By unanimous consent,

Mr. Backhouse, from the select committee, to which was referred

the bill entitled, "An act to authorise William Beard and others to construct and build docks, wharves, bulkheads, piers and basins in front of the lands in the sixth ward of the city of Brooklyn and part of New-York," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment.

Mr. Cady moved to recommit the bill to a select committee.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Cady, and it was determined in the affirmative.

Mr. Speaker having re-announced the special order.

Mr. Elderkin moved to suspend for 10 minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the affirmative.

By unanimous consent,

Mr. Elderkin, from the select committee, to which was referred the bill entitled, "An act to amend an act to incorporate the village of Canton, passed May 13, 1843," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Wheeler, from the select committee, to which was referred the bill entitled, "An act to amend an act passed April 26, 1831, to incorporate the village of Plattsburgh," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Hewit, from the select committee, to which was recommitted the bill entitled, "An act to incorporate the Northern New-York live stock insurance co.," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said report be committed to the committee of the whole.

Mr. Speaker announced the following bills as referred to select committees, hereinafter named, with power to report complete, to wit :

"An act providing for the appointment of commissioners to investigate the claims of Hotchkiss and Smith against the agent of the Sing Sing prison, and arbitrate and settle all matters of difference between the said agent, of the one part, and said Hotchkiss and Smith and their assignees of the other," Messrs. Underwood, Bottum and Sherman.

"An act for the relief of Abijah Fitch, Thos. M. Hunt and Henry H. Cooly, assignees of Horace Hotchkiss and Wm. P. Smith," Messrs. Underwood, Bottum and Sherman.

By unanimous consent,

Mr. Underwood, from the select committee, to which was referred the bill entitled, "An act for the relief of Abijah Fitch, Thomas M. Hunt and Henry H. Cooly, assignees of Horace Hotchkiss and Wm. P. Smith," to report complete, reported that the committee had

gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Underwood, from the select committee, to which was referred the bill entitled, "An act providing for the appointment of commissioners to investigate the claims of Hotchkiss and Smith, against the agent of the Sing Sing prison, and arbitrate and settle all matters of difference between the said agent, of the one part, and said Hotchkiss and Smith, and their assignees, of the other," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Wakeman, from the committee on commerce and navigation, to which was referred the petition of Samuel Fowler and others, for an act of incorporation, reported, and asked and obtained leave to bring in a bill entitled, "An act to incorporate the Franklinite co.," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. Wakeman, and by unanimous consent,

Resolved, That bills No. 360 and 361, relative to the Marine hospital and Commissioners of Emigration, be referred to a select committee of five with power to report complete.

By unanimous consent,

Mr. Fitzhugh, from the select committee, to which was referred the bill entitled, "An act in relation to the Rochester collegiate institute," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Speaker announced the special order.

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act to revive and amend the several acts to incorporate and to increase the capital and extend the powers of the Sodus canal company."

Pending the consideration, Mr. Speaker resumed the chair and announced a message from the Senate, which was received and read, informing that they had concurred with the House in the resolution to compare nominations for Regent of the University.

Thereupon, the Senate accordingly attended in the Assembly chamber, and on comparing their respective nominations for the office of Regent of the University, they were found to agree in the name of John N. Campbell ; thereupon, John N. Campbell was declared duly elected a Regent of the University, in the place of Peter Wendell, deceased.

Thereupon, the Senate withdrew from the Assembly chamber.

The House then resolved itself into a committee of the whole, on the bill entitled, as follows, to wit:

"An act to revive and amend the several acts to incorporate and to increase the capital and extend the powers of the Sodus canal company."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Elderkin, from said committee, reported that the committee had gone through said bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

Mr. Davis moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Davis, and it was determined in the negative.

Mr. Bushnell presented the petition of sundry inhabitants of Jefferson co., for a repeal or modification of the exemption laws in relation to the tolls on plank roads, which was read and referred to the committee on roads and bridges.

Mr. T. H. Benedict presented a remonstrance against enclosing town property, signed by 91 persons of East Chester, which was read and referred to the committee on the judiciary.

Mr. Elderkin presented two petitions of voters of Potsdam, St. Lawrence co., that imprisonment for life in the States prison at hard labor, be substituted for capital punishment, which were read and referred to the select committee.

Mr. T. H. Benedict presented the petition of sundry inhabitants of Port Chester for a draw bridge across Byram river, which was read and referred to the committee on roads and bridges.

Mr. A. A. Thompson moved that the House adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. A. A. Thompson, and it was determined in the negative.

{ AYES 41 }
{ NOES 59 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Colvin	French	Pool	Snell
Atwood	Congdon	Hatch	Rider	Stewart
Barnes	Davis	Jayne	Rockwell	Stilwell
Bird	Dowey	Kinsley	W. Russell	Stratton
Blackstone	Dougherty	Lawyer	Ryan	Swords
Bowne	Doyle	Le Roy	Shall	A. A. Thompson
Bushnell	Elderkin	Lewis	Sickles	Varnum
J. F. Clark	Ferris	Maurice	E. T. Smith	Wright
Coffin				

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Those who voted in the negative are,

O. Allen	Chamberlin	L. Harris	Miles	Stevens
J. W. Babcock	Cooke	Heath	Moss	Speaker
Baker	Corser	Hoppin	Pardee	Townsend
Belknap	Dennison	Humphrey	J. L. Perry	Tuthill
J. Benedict	Douglass	Ingersoll	Rouse	Underwood
T. H. Benedict	Farr	Kellogg	Rowe	Wakeman

Bottum	Feller	Lake	Ramsey	Ward
Bradley	Fordyce	Langdon	Severance	Welden
Brayton	Gilbert	Leggett	Sherman	Wheeler
Briggs	Gleason	Lesley	Shultes	Whiteside
Cady	Graham	McLouth	A. Smith	Yeomans
Campbell	H. Harris	Macomber	Southwick	59

Mr. Stewart presented the petition of sundry inhabitants of the counties of Hamilton, Warren, Washington and Saratoga, asking an appropriation from the State, of \$1000 to improve the channel of Piseco Lake, which was read and referred to the committee on commerce and navigation.

Mr. Brayton presented the remonstrance of 37 citizens of Rome, against the act for the election of a police justice in the village of Rome, which was read and referred to the select committee consisting of the Oneida county delegation.

Mr. Gilbert presented the petition of citizens of Rodman, Jefferson co., for the repeal of the present school law and re-enactment of the old, which was read and referred to the committee of the whole.

Mr. A. A. Thompson moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. A. A. Thompson, and it was determined in the negative.

{ AYES 39 }
{ NOES 59 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Colvin	Hatch	Pool	Stewart
Bird	Congdon	Jayne	Rider	Stilwell
Blackstone	Davis	Kinsley	Rackwell	Stratton
Bowne	Dewey	Lawyer	Ryan	Swords
Burroughs	Dougherty	Le Roy	Shall	A. A. Thompson
Bushnell	Elderkin	Lewis	Sickles	O. C. Thompson
J. F. Clark	Ferris	Maurice	E. T. Smith	Wright
Coffin	French	E. Perry	Snell	89

Those who voted in the negative are,

O. Allen	Campbell	L. Harris	Miles	Stevens
Atwood	Chamberlin	Heath	Moss	Speaker
J. W. Babcock	Cooke	Hoppin	Pardee	Tuthill
Baker	Corser	Humphrey	J. L. Perry	Underwood
Balknap	Douglass	Ingersoll	Rouse	Varnum
J. Benedict	Farr	Kellogg	Rowe	Wakeman
T. H. Benedict	Feller	Lake	Rumsey	Ward
Bottum	Fordyce	Langdon	Severance	Welden
Bradley	Gilbert	Leggett	Sherman	Wheeler
Brayton	Gleason	Lesley	Shultes	Whiteside
Briggs	Graham	McLouth	A. Smith	Yeomans
Cady	H. Harris	Macomber	Southwick	59

Mr. Speaker announced the following select committee on bills No. 360 and 361, relating to acts concerning passengers coming to the city of New-York, with power to report complete: Messrs. Wakeman, H. J. Allen, Tuthill, Dennison and Macomber.

A message from the Governor was received and read, in the words following, to wit :

EXECUTIVE DEPARTMENT, }
Albany, March 17th, 1851. }

To the Assembly:

I have this day approved and signed the following entitled bills : -

"An act to extend the time for the board of supervisors of the county of Kings to issue warrants to the collector of taxes and assessments of the city of Brooklyn."

"An act to authorise an election of trustees and other officers in the village of Fonda."

"An act to authorise the supervisors of Oneida co. to levy a tax of \$15,000 for the purpose of building a court house and jail in the city of Utica."

"An act to provide for the appraisal and payment of canal damages to Josiah S. Kellogg, executor of the estate of Jacob Kellogg, deceased."

"An act for the relief of the collectors of taxes for the towns of Bath, Steuben co., Bethlehem, New Scotland and Guilderland, Albany co., Scriba, Oswego co., and the city of Syracuse, Onondaga co."

WASHINGTON HUNT.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act to provide for the organization and government of the police of the city of Albany."

Mr. Speaker put the question whether the House would agree to the Senate's amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Colvin	L. Harris	Pardee	Stewart
O. Allen	Cooke	Hatch	J. L. Perry	Stilwell
Atwood	Corser	Heath	Rockwell	Swords
J. W. Babcock	Davis	Hoppin	Rouse	Speaker
Baker	Douglass	Humphrey	Rowe	A. A. Thompson
Barnes	Elderkin	Ingersoll	Rumsey	O. C. Thompson
Belknap	Farr	Jayne	Severance	Townsend
J. Benedict	Ferris	Kellogg	Sherman	Tuthill
T. H. Benedict	Feller	Langdon	Shultes	Underwood
Bird	Fitzhugh	Lawyer	Sickles	Wakeman
Blackstone	Fordyce	Leggett	A. Smith	Ward
Brayton	French	Lesley	E. T. Smith	Welden
Briggs	Gilbert	McLouth	Snell	Wheeler
Campbell	Gleason	Macomber	Southwick	Wright
Chamberlin	Graham	Miles	Stevens	Yeomans
Coffin	H. Harris	Moss		

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Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Miles, and by unanimous consent,

Resolved, That Assembly bill No. 131, be taken from the committee of the whole and referred to a select committee with power to report the same complete.

Mr. Speaker announced the following select committee on Assembly No. 131, to make Addison a half shire-town: Messrs. Miles, Higby, H. Harris, Ingersoll and Welden.

Mr. O. Allen moved to suspend the 4th rule in order to refer certain bills to the select committee to report complete.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the affirmative.

On motion of Mr. O. Allen,

Resolved, That Assembly bill No. 352 and 354, general orders, entitled, "An act for the relief of the firemen's benevolent association of the city of Buffalo," be referred to a select committee consisting of the Erie county delegation to report complete, also Assembly bill 286, general orders.

In pursuance of previous notice, Mr. Underwood moved to suspend the fourth standing rule, in order to allow the bill relating to the village of Owego, to be referred to a select committee to report complete.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Underwood, and it was determined in the affirmative.

On motion of Mr. Underwood,

Resolved, That the bill relating to the charter of the village of Owego be taken from the general orders, and be referred to a select committee to report complete.

Mr. A. A. Thompson moved to adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. A. A. Thompson, and it was determined in the negative.

Mr. A. A. Thompson presented the memorial of W. D. G. McVey complaining of personal injury from one of the officers of this House.

Mr. Wheeler moved to refer the petition to a select committee consisting of the member from the first Assembly district of New-York.

Mr. Fordyce moved to amend by adding the following words "and that the committee be instructed to report at their earliest possible convenience."

Mr. Macomber moved to amend the amendment by adding the following words "and the member from Cayuga be added to the committee."

Debate was had thereon, and the amendment to the amendment was withdrawn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Fordyce, and it was determined in the affirmative.

Mr. Briggs moved to amend the motion of Mr. Wheeler by adding, "and that Mr. Bishop be added to the committee."

Mr. Maurice moved to amend the amendment by adding Mr. A. Smith to said committee.

Debate being had thereon, the amendment was withdrawn.

Mr. Burroughs moved to amend the motion of Mr. Wheeler so as to refer the communication to the committee on privileges and elections.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

Mr. Davis moved to the same be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Davis, and it was determined in the negative.

Mr. Burroughs moved to refer the communication to the committee on grievances.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

Mr. Burroughs moved to refer to the committee on agriculture.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

Mr. J. Benedict moved to refer to the committee on canals.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. J. Benedict, and it was determined in the negative.

Mr. O. Allen moved to refer to the committee on militia and public defence.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the negative.

Mr. Bishop moved the same be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Bishop, and it was determined in the negative.

Mr. Sherman moved to refer to the committee on the judiciary.

Debate being had thereon, the amendment was withdrawn.

Mr. Feller moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the negative.

Mr. O. Allen moved to refer to the committee on medical colleges and societies.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the negative.

Mr. Briggs moved to refer to the committee on charitable and religious societies.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Briggs, and it was determined in the negative.

Mr. Varnum moved to refer to the committee on expiring laws.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Varnum, and it was determined in the negative.

Mr. Rouse moved to refer to the committee on the petitions of aliens.

Mr. Feller moved to refer to a select committee.

Mr. Maurice moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the negative.

Mr. Burroughs moved to refer to the committee of the whole.

Mr. Higby moved that the same be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Higby, and it was determined in the affirmative.

Mr. Rouse gave notice that he would hereafter move to suspend the 4th rule of this House, so far as to permit Assembly bills Nos. 85 and 151 of the general orders to be taken from the committee of the whole and referred to select committees to report complete.

Mr. Varnum, from the committee on railroads, to which was referred the bill entitled, "An act to authorise the consolidation of the several railroads between Buffalo and Albany, or any two or more of them, and to provide for two tracks of way," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Wakeman, from the committee on commerce and navigation, to which was referred the Senate bill entitled, "An act to incorporate the Miniseongo ferry company, in the county of Rockland," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows, to wit:

"An act to revive and extend an act authorising John Low and others to erect and maintain a rolling dam across the Susquehannah river in the town of Milford, and county of Otsego."

"An act to enable Jean Baptiste Feriere, Jean Baptiste Haroa, Catherine Marguerite Feriere and Marie Anne Cubelier to take, hold and convey certain real estate."

"An act for the relief of Elihu C. Wright."

"An act to provide for the collection of unpaid fees and perquisites, for official services rendered by county judges and surrogates, which accrued upon or after the first Monday in July, 1847, and prior to the second day of April, 1849."

"An act to amend an act entitled, 'An act to incorporate the village of Franklin, in the county of Delaware,' passed May 12, 1836 "

"An act to confirm the official acts of Torry J. Luce, a justice of the peace of the town of Hartwick, in the county of Otsego."

"An act to renew the charter of the State road from the Orange turnpike to Nyack, in the county of Rockland, as passed on the 20th day of April, 1830."

"An act to authorise the commissioners of highways of the town of Schroon to borrow money."

"An act to authorise the construction of a draw bridge across the Freshkill in Richmond county."

"An act to authorise the county clerk of Wayne county to record a certain deed."

"An act to amend section twenty-fourth, of article third, title first, part second of the Revised Statutes, relating to the discharge of insolvent debtors."

"An act authorising railroad companies in this State to change the time for the election of directors."

"An act to change the name of William H. Pearce to Henry Winter."

"An act in relation to mortgages taken by the commissioners for loaning certain moneys belonging to the United States."

"An act for the relief of Thomas J. Strong and Geo. W. Cheeny."

"An act to incorporate the Watson agricultural institute."

"An act to authorise the supervisors of the county of Wayne, to levy a tax upon the town of Lyons in said county, for the purpose of building a bridge over the Clyde river, on the Geneva road."

Ordered, That said bills be read the third time.

Mr. Bird, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled, "An act requiring the county treasurer of the county of Fulton to refund and pay over certain surplus school moneys to the supervisors, overseers of the poor and commissioners of highways of certain towns in said county," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Ward, from the committee on charitable and religious societies, to which was referred the Senate bill entitled, "An act to amend an act entitled, 'An act to incorporate the orphan asylum society in the city of Brooklyn,' passed April 15, 1835," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Varnum, from the select committee consisting of the N. Y. delegation, to which was referred the petition of Louis Blicdorn, asked to be discharged from the further consideration of the same, and the same was referred to the committee on charitable and religious societies.

Mr. Lake, from the select committee, to which was referred the bill entitled, "An act authorising county clerks to appoint special deputies," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

Mr. Bird, from the select committee, to which was referred the bill from the Senate entitled, "An act to authorise the election of an additional supervisor in the city of Schenectady," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

Mr. Maurice, from the select committee, to which was referred the bill entitled, "An act to authorise the county judge of Queens co. to sign the certificate of the proof of certain wills recorded in the surrogate's office of that county," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

Mr. Maurice, from the select committee, to which was referred the bill entitled, "An act in relation to the indictment and place of trial of nuisances," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Maurice, from the select committee, to which was referred the bill entitled, "An act to facilitate the proof of payment of debts," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Maurice, from the select committee, to which was referred the bill entitled, "An act authorising Thomas I. Jacobs to change his name," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Maurice, from the select committee, to which was referred the bill entitled, "An act authorising the Jamaica and Brooklyn plank road company to increase their capital stock," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. O. Allen, from the select committee, to which was referred the bill entitled, "An act for the relief of the Firemen's benevolent association of Buffalo," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. O. Allen gave notice of his intention, at an early day, to move a suspension of the 4th rule of this House.

Mr. Varnum offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the bill for refunding certain moneys paid under protest, being Assembly bill, printed No. 355, be referred to the first committee of the whole which shall be in session.

Mr. H. Harris moved to add Senate bill No. 94.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. H. Harris, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Maurice gave notice to suspend the 4th Assembly rule, that Senate bill No. 13, to authorise a release of the amount due upon a decree against Henry Talmadge, can be referred to a select committee to report complete.

Mr. H. Harris, from the select committee, to which was referred the bill entitled, "An act to amend an act passed May 3, 1836, entitled 'An act to incorporate the Albany co. mutual insurance company,'" to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. H. Harris, from the select committee, to which was referred the bill entitled, "An act for the appointment of commissioners to construct a stone bridge over the Patroon's creek, in the town of Watervliet," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

Mr. Backhouse, from the select committee, to which was recommended the bill entitled, "An act to authorise Wm. Beard and others to construct and build docks, wharves, bulkheads, piers and basins in front of their lands in the sixth ward of the city of Brooklyn, and part of New-York," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Fitzhugh, from the select committee, to which was referred the bill entitled, "An act to abolish the office of recorder of the city of Rochester," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Wakeman moved to suspend the 4th rule of this House.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wakeman, and it was determined in the affirmative.

On motion of Mr. Wakeman,

Resolved, That the Senate bill to amend the act entitled, "An act concerning passengers arriving at the ports of entry and landings in

this State, passed Dec. 10, 1847," be referred to a select committee to report complete.

Mr. Baker, from the select committee, to which was referred sundry petitions on the subject of capital punishment, reported in writing, and asked to be discharged from the further consideration of the subject, which report was agreed to.

Mr. Townsend gave notice of his intention at an early day to move to suspend the fourth rule.

Mr. Moss gave notice that he would hereafter move to suspend the fourth rule in order to refer Assembly bills printed No. 115, 127 and 170, to select committees to report complete.

On motion of Mr. Bird,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That three-fourths of the report of the canal committee on the enlargement of the Erie canal, and the completion of the unfinished canals, be bound with covers in the same manner as the copies for State officers.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. A. Smith, from the select committee, to which was referred the bill entitled, "An act to provide for building a bridge over Dead creek in Erie county, and to raise a tax for that purpose," to report complete, reported that the committee had gone through said bill and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Varnum offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the bill for the relief of the association for the benefit of colored orphans, No. 212 on the general orders, be made a special order for Thursday at twelve o'clock.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

Mr. L. Harris gave notice that he would, at some future day, move to suspend the fourth rule, for the purpose of moving the militia bill to a select committee to report complete.

Mr. Stevens gave notice that he would, at an early day, ask leave to suspend the fourth rule to enable him to have Assembly bill 321 referred to a select committee to report complete.

Mr. H. J. Allen gave notice that he would, move to suspend the fourth rule of the Assembly, for the purpose of referring the bill No. 318 to a select committee to report complete.

Mr. Briggs moved to lay this order of business on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Briggs, and it was determined in the affirmative.

Mr. Speaker announced the next order of business to be the third reading of bills.

Mr. Briggs moved to lay this order of business on the table.

Mr. Speaker put the question whether the House would agree to

the said motion of Mr. Briggs, and it was determined in the negative.

The bill from the Senate entitled, "An act to authorise the Union plank road company of the town of Kingston to establish gates and regulate tolls upon their roads," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 71 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Corser	Humphrey	E. Perry	Stevens
O. Allen	Davis	Ingersoll	J. L. Perry	Speaker
Atwood	Dennison	Kellogg	Pool	A. A. Thompson
Backhouse	Dougherty	Lake	Rockwell	O. C. Thompson
Barnes	Farr	Langdon	Rouse	Townsend
Belknap	Ferris	Lawyer	Rowe	Tuthill
J. Benedict	Feller	Leggett	Rumsey	Underwood
Bird	Fitzhugh	Le Roy	Severance	Varnum
Bowne	Fordyce	Lesley	Shall	Wakeman
Bradley	H. Harris	McLouth	Sherman	Ward
Brayton	L. Harris	Macomber	Shultes	Welden
Briggs	Hatch	Miles	A. Smith	Wheeler
Cady	Heath	Noble	E. T. Smith	Whiteaide
J. F. Clark	Hoppin	Pardee	Southwick	Yeomans
Coffin				

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Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have concurred in the same without amendment.

Mr. A. A. Thompson moved to adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. A. A. Thompson, and it was determined in the negative.

The bill from the Senate entitled, "An act to authorise the Brabant plank road company to construct their road three rods wide," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 71 }
{ NOES 01 }

Those who voted in the affirmative are,

H. J. Allen	Brayton	H. Harris	McLouth	Snell
O. Allen	Briggs	L. Harris	Macomber	Southwick
Atwood	Cady	Hatch	Pardee	Stevens
J. W. Babcock	Chamberlin	Heath	J. L. Perry	Stilwell
Backhouse	J. F. Clark	Humphrey	Rockwell	Speaker
Baker	Coffin	Ingersoll	Rouse	A. A. Thompson

Barnes	Congdon	Jayne	Rumsey	Tuthill
Belknap	Corser	Kinsley	Severance	Underwood
J. Benedict	Davis	Kellogg	Shall	Varnum
Bird	Dennison	Lake	Sherman	Wakeman
Bishop	Douglass	Langdon	Shultes	Ward
Blackstone	Farr	Leggett	Sickles	Wheeler
Bottum	Ferris	Le Roy	A. Smith	Whiteside
Bowne	Fordyce	Lesley	E. T. Smith	Yeomans
Bradley				71

For the negative,

Hoppin

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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Leave of absence was granted to Mr. Anthon for two weeks, to Mr. Elwood two weeks and Mr. G. Clark one week.

By unanimous consent,

Mr. A. Smith gave notice that he would, at an early day, make a motion to lay the fourth rule on the table, for the purpose of moving to refer Senate bill printed No. 5, and Assembly bill printed No. 145, to special committees to report complete.

The engrossed bill entitled, "An act to incorporate the city of Williamsburgh," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES. 74 }
{ NOES 11 }

Those who voted in the affirmative are,

H. J. Allen	Barronghs	Feller	Leggett	A. Smith
O. Allen	Cady	Fordyce	Lesley	Southwick
Atwood	Campbell	Gilbert	Lewis	Stevens
J. W. Babcock	Chamberlin	Gleason	McLouth	Speaker
Backhouse	J. F. Clark	Graham	Macomber	Townsend
Baker	Coffin	H. Harris	Miles	Tuthill
Belknap	Cooke	L. Harris	Pardee	Underwood
J. Benedict	Congdon	Heath	E. Perry	Varnum
Bird	Corser	Hoppin	J. L. Perry	Wakeman
Bishop	Davis	Humphrey	Rowe	Ward
Blackstone	Dennison	Ingersoll	Rumsey	Wheeler
Bottum	Dewey	Jayne	Severance	Whiteside
Bradley	Douglass	Kellogg	Sherman	Wright
Brayton	Farr	Lake	Shultes	Yeomans
Briggs	Ferris	Langdon	Sickles	74

Those who voted in the negative are,

Dougherty	Rider	Ryan	E. T. Smith	A. A. Thompson
Le Roy	Rockwell	Shall	Stilwell	O. C. Thompson
Maurice				11

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill from the Senate entitled, "An act to release to the owners of farm lots numbers 256 and 257 in the Onondaga salt springs reservation, all the interests of the State therein," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 90 }
 { NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	J. F. Clark	Hatch	Moss	Southwick
O. Allen	Coffin	Heath	Noble	Stevens
Atwood	Cooke	Hewit	Pardee	Stewart
J. W. Babcock	Corser	Hoppin	E. Perry	Stilwell*
Backhouse	Davis	Humphrey	J. L. Perry	Speaker
Baker	Dennison	Ingersoll	Rider	A. A. Thompson
Belknap	Dougherty	Jayne	Rockwell	O. C. Thompson
J. Benedict	Douglass	Kinsley	Rowe	Townsend
T. H. Benedict	Farr	Kellogg	Rumsey	Tuthill
Bird	Ferris	Langdon	Ryan	Underwood
Bishop	Feller	Leggett	Severance	Varnum
Blackstone	Fitzhugh	Le Roy	Shall	Wakeman
Bettum	French	Lesley	Sherman	Ward
Bradley	Gilbert	Lewis	Shultes	Welden
Brayton	Gleason	McLouth	Sickles	Wheeler
Cady	Graham	Macomber	A. Smith	Whiteside
Campbell	H. Harris	Maurice	E. T. Smith	Wright
Chamberlin	L. Harris	Miles	Snell	Yeomans 90

Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have concurred in the same without amendment.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bills entitled as follows :

"An act to incorporate the Westminster college," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

"An act in relation to weights and measures," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the New-York juvenile asylum," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. J. Benedict moved to take from the table the motion to reconsider the motion to recommit the bill entitled, "An act to enable Enos Collins to take, hold and convey real estate within this State."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. J. Benedict, and it was determined in the affirmative.

{ AYES 48 }
{ NOES 34 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Cady	Hatch	Pardee	Stevens
O. Allen	Campbell	Hewit	J. L. Perry	Speaker
Backhouse	J. F. Clark	Horton	Rowe	Townsend
Barnes	Dewey	Jayne	Ryan	Tuthill
J. Benedict	Douglass	Leggett	Severance	Underwood
Bird	Elderkin	Le Roy	Shall	Varnum
Blackstone	Feller	Lesley	Sherman	Ward
Bottum	Fisk	Maurice	A. Smith	Whiteside
Bowne	Fitzhugh	Moss	Southwick	Wright
Burroughs	L. Harris	Noble		

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Those who voted in the negative are,

J. W. Babcock	Colvin	Gleason	Lake	Rumsey
Baker	Cooke	H. Harris	Langdon	Shultes
Belknap	Corser	Higby	McLouth	Sickles
Bishop	Davis	Hoppin	Macomber	Stilwell
Bradley	Dennison	Humphrey	Minier	O. C. Thompson
Brayton	Dougherty	Ingersoll	Rockwell	Yeomans
Coffin	Fordyce	Kellogg	Rouse	

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The bill entitled, "An act in relation to the Rochester collegiate institute," coming up for a third reading.

On motion of Mr. H. Harris, and by unanimous consent,

Said bill was then amended as follows, by inserting after the word thereof in the second section of the same, the words "or of any policy of insurance thereon."

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Cady	A. A. Gregory	Macomber	Stevens
O. Allen	Campbell	H. Harris	Minier	Stilwell
Atwood	J. F. Clark	L. Harris	Noble	Speaker
J. W. Babcock	Colvin	Hatch	Pardee	A. A. Thompson
Backhouse	Cooke	Hewit	J. L. Perry	O. C. Thompson
Baker	Congdon	Hoppin	Rockwell	Townsend
Belknap	Corser	Humphrey	Rouse	Tuthill
J. Benedict	Dennison	Ingersoll	Rowe	Underwood
Bird	Douglass	Jayne	Rumsey	Varnum
Bishop	Elderkin	Kellogg	Severance	Ward
Bottum	Farr	Langdon	Shall	Welden
Bowne	Feller	Leggett	Sherman	Wheeler
Bradley	Fisk	Le Roy	Shultes	Whiteside
Brayton	Fitzhugh	Lesley	A. Smith	Wright
Briggs	Fordyce	Lewis	Southwick	Yeomans
Burroughs	Gilbert	McLouth		

77

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend an act passed March 29, 1848, to improve the Cayuga creek road, in the county of Erie, and amended March 27, 1849," coming up for a third reading,

On motion of Mr. Varnum, and by unanimous consent,

Said bill was amended as follows: insert after the word "act," in the second line of the engrossed bill, the words, "entitled an act to amend an act to improve the Cayuga creek road, in the county of Erie."

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 76 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	J. F. Clark	Graham	McLouth	Stevens
O. Allen	Coffin	H. Harris	Miles	Stilwell
Atwood	Colvin	L. Harris	Pardee	Speaker
J. W. Babcock	Cooke	Hatch	J. L. Perry	O. C. Thompson
Baker	Corser	Heath	Rockwell	Townsend
Belknap	Davis	Hoppin	Rouse	Tuthill
J. Benedict	Dennison	Ingersoll	Rowe	Underwood
Bird	Dewey	Jayne	Rumsey	Varnum
Bishop	Dougherty	Kellogg	Ryan	Wakeman
Bottum	Douglass	Lake	Severance	Ward
Bowne	Farr	Langdon	Sherman	Welden
Bradley	Fisk	Leggett	Shults	Wheeler
Brayton	Fordyce	Le Roy	Sickles	Whiteside
Briggs	Gilbert	Lesley	A. Smith	Wright
Cady	Gleason	Lewis	Southwick	Yeomans
Chamberlin				

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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Wheeler moved a call of the House.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wheeler, and it was determined in the affirmative.

The roll was then called, when the following members appeared and answered to their names, to wit:

H. J. Allen	Chamberlin	Graham	Macomber	Stewart
O. Allen	J. F. Clark	A. A. Gregory	Miles	Stilwell
Atwood	Coffin	H. Harris	Moss	Stratton
J. W. Babcock	Colvin	L. Harris	Pardee	Swords
Backhouse	Cooke	Hatch	E. Perry	Speaker
Baker	Corser	Heath	J. L. Perry	A. A. Thompson
Barnes	Davis	Horton	Rockwell	O. C. Thompson
Belknap	Dennison	Hoppin	Rouse	Townsend
J. Benedict	Dewey	Ingersoll	Rowe	Tuthill
T. H. Benedict	Dougherty	Jayne	Rumsey	Underwood

Bird	Douglass	Kellogg	Ryan	Varnum
Bishop	Doyle	Lake	Severance	Wakeman
Botum	Elderkin	Langdon	Sherman	Ward
Bradley	Farr	Leggett	Shultes	Welden
Brayton	Feller	Le Roy	Sickles	Wheeler
Briggs	Fisk	Lesley	A. Smith	Whiteside
Burroughs	Fordyce	Lewis	Southwick	Wright
Cady	Gilbert	McLouth	Stevens	Yeomans
Campbell	Gleason			

Mr. Burroughs moved to dispense with all further proceedings under the call.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

Mr. Burroughs moved that this order of business, being that of third reading of bills, be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

On motion of Mr. Stewart,

Resolved, That the petitions and papers in relation to the laying out and constructing a public highway from Newkirk's mills in the county of Fulton, to Piseco village in the county of Hamilton, be taken from the files of the House and referred to the committee on roads and bridges.

Mr. H. J. Allen gave notice that he would, at some future day move to suspend the 59th rule.

Mr. T. H. Benedict offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the bills relating to common schools, be made the special order for to morrow, immediately after the reading of the journal.

Mr. Burroughs moved to amend by substituting to night at eleven o'clock.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

Mr. T. H. Benedict moved to reconsider the vote just taken on the amendment of Mr. Burroughs.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. T. H. Benedict, and it was determined in the negative.

By unanimous consent,

Mr. Le Roy asked for and obtained leave to bring in a bill entitled, "An act for the relief of Henry Showdy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

By unanimous consent,

Mr. T. H. Benedict asked for and obtained leave to bring in a bill entitled, "An act for the relief of Hannah Dubois, the widow of Dr. Joseph Dubois, deceased," which was read the first time, and by unan-

imous consent was also read the second time, and referred to the committee on the petitions of aliens.

By unanimous consent,

Mr. L. Harris asked for and obtained leave to bring in a bill entitled, "An act for annexing part of the towns of Morris and Butternuts in Otsego county, to the town of New Berlin, Chenango county," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the erection and division of towns and counties.

On motion of Mr. L. Harris,

Resolved, That Hon. Isaac L. F. Cushman, member of the last Assembly for the first district in the county of Chenango, be supplied with the same books and documents which were supplied to the members of the Legislature of 1851, and that the clerk procure and forward the same to said Cushman, with a copy of the documents and books ordered by this House for members, the said Cushman having lost the books and documents received by him last year by fire.

Mr. E. Perry moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. E. Perry, and it was determined in the negative.

Mr. Burroughs moved to postpone the special order, ordered for 11 o'clock to night until four o'clock to morrow morning.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

On motion, leave of absence, until to morrow morning, was granted to Mr. O. C. Thompson.

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act to establish the agricultural college of the State of New-York."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Miles, from said committee, reported progress on said bill and asked and obtained leave to sit again.

Mr. Maurice moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Maurice, and it was determined in the negative.

The House then resolved itself into a committee of the whole, on the bill entitled, as follows, to wit:

"An act to authorise the Comptroller to return to the proper owners certain moneys paid under protest to the health commissioners of the city of New-York, on account of certain ships and vessels."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Miles, from said committee, reported that the committee had gone through said bill, and agreed to the same with an amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

A message from the Senate was received and read in the words following, to wit :

WHEREAS, The Legislature failed to elect, at the time and in the manner prescribed by law, a Senator in the place of Daniel S. Dickinson, whose term of service expired on the third day of March, 1851, therefore,

Resolved, (If the Assembly concur.) That the Legislature will immediately proceed to elect a Senator in Congress, in the manner prescribed by article four, title six, chapter one hundred and thirty, of the laws of 1842.

Mr. Wheeler offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the Assembly concur in said resolution.

Mr. Wheeler called for the previous question on said resolution.

Mr. Elderkin raised the point of order that the resolution of Mr. Wheeler conflicted with the 57th rule of the House, which provides that all concurrent resolutions, &c., must lie upon the table for one day.

Mr. Speaker decided the point of order to be well taken.

In pursuance of previous notice,

Mr. Wheeler offered for the consideration of the House, a resolution, in the words following, to wit :

Resolved, That that portion of the 57th rule of this House, which provides that all concurrent resolutions shall lie over one day for consideration, be suspended.

Mr. Wheeler called for the previous question on said resolution.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then announced the question to be on the resolution of Mr. Wheeler.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

{ AYES 65 }
{ NOES 22 }

Those who voted in the affirmative are,

O. Allen	Cady	A. A. Gregory	McLouth	Southwick
Atwood	Campbell	H. Harris	Macomber	Stevens
J. W. Babcock	Chamberlin	L. Harris	Miles	Speaker
Baker	Cooke	Heath	Moss	Townsend
Belknap	Corser	Hewitt	Pardee	Tuthill
J. Benedict	Douglass	Hoppin	J. L. Perry	Underwood
T. H. Benedict	Farr	Humphrey	Rouse	Varnum
Bird	Feller	Ingersoll	Rowe	Wakeman
Bishop	Fisk	Kellogg	Rumsey	Ward
Bottom	Fordyce	Lake	Severance	Welden
Bradley	Gilbert	Langdon	Sherman	Wheeler
Brayton	Gleason	Leggett	Shultes	Whiteside
Briggs	Graham	Lesley	A. Smith	Yeomans

Those who voted in the negative are,

H. J. Allen	J. F. Clark	Horton	Noble	E. T. Smith
Anthon	Davis	Lo Roy	E. Perry	Stewart
Barnes	Dennison	Lewis	Rockwell	Stilwell
Blackstone	Dewey	Maurice	Shall	Stratton
Burroughs	Elderkin			

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Pursuant to said concurrent resolution, the House then proceeded to nominate a Senator, to represent this State in the Congress of the United States, in the place of Daniel S. Dickinson, whose term of office had expired, when each member present openly nominated as follows :

FOR HAMILTON FISH,

O. Allen	Campbell	H. Harris	Miles	Stevens
Atwood	Chamberlin	L. Harris	Moss	Swords
J. W. Babcock	Cooke	Heath	Pardee	Speaker
Baker	Corser	Hewitt	J. L. Perry	Townsend
Belknap	Dewey	Hoppin	Rouse	Tuthill
J. Benedict	Douglass	Humphrey	Rowe	Underwood
T. H. Benedict	Farr	Ingersoll	Rumsey	Varnum
Bird	Feller	Kellogg	Ryan	Wakeman
Bishop	Fisk	Lake	Severance	Ward
Bottum	Fordyce	Langdon	Sherman	Welden
Bradley	Gilbert	Leggett	Shultes	Wheeler
Brayton	Gleason	Lesley	A. Smith	Whitewide
Briggs	Graham	McLouth	Southwick	Yeomans
Cady	A. A. Gregory	Macomber		

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FOR JOHN A. DIX,

J. F. Clark	Horton	Minier	Noble	Stilwell
Coffin				

6

FOR F. GRANGER,

Blackstone

1

FOR WM. C. BOUCK,

Rockwell

1

Messrs. H. J. Allen, Anthon and A. A. Thompson, declined voting.

On motion of Mr. Wheeler,

Resolved, That Hamilton Fish be and he is hereby nominated on the part of the Assembly, a Senator to represent this State in Senate of the Congress of the United States, for six years from the fourth day of March, 1851, to fill the vacancy which occurred on that day, by the expiration of the term of service of Daniel S. Dickinson.

On motion of Mr. Wheeler,

Resolved, (If the Senate concur,) That the Assembly will immediately meet the Senate in the Assembly chamber to compare their respective nominations for the office of Senator in Congress.

A message from the Senate was received and read, in the words following, to wit :

Resolved, (If the Assembly concur,) That the Senate will meet the Assembly in the Assembly chamber, to compare their respective nominations for the office of Senator in Congress.

Mr. Wheeler offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That this House do concur in said resolution.

Mr. Wheeler called for the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. A. A. Thompson moved to lay the previous question on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. A. A. Thompson, and it was determined in the negative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

A message from the Senate was received and read, announcing that they had concurred in the resolution of the Assembly, to meet and compare their respective nominations for the office of Senator in Congress.

Mr. A. A. Thompson moved that the House do now adjourn.

Mr. Speaker decided the motion to be out of order.

Mr. A. A. Thompson appealed from the decision of the chair.

Mr. Speaker put the question, "Shall the decision of the chair stand as the judgment of the House?" and it was determined in the affirmative.

The Senate then accordingly attended in the Assembly chamber, and on comparing their respective nominations for the office of Senator in Congress, they were found to agree in the name of Hamilton Fish; thereupon, Hamilton Fish was declared, by the President of the Senate, duly elected a Senator in the Congress of the United States, for the term of six years from the fourth day of March, 1851.

Thereupon, the Senate withdrew from the Assembly chamber, and Mr. Speaker announced to the House the proceedings of the Legislature in joint meeting, as above recorded.

Mr. Elderkin moved that this House do take a recess until twelve o'clock, M.

Mr. Burroughs moved to amend by substituting four o'clock, P. M.

Mr. Macomber moved to amend by substituting ten, A. M.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Macomber, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

The House then, on Wednesday morning, at ten minutes to two o'clock, took a recess until four o'clock, P. M.

FOUR O'CLOCK P. M.

The House again met.

Mr. Speaker announced the special order.

The House then resolved itself into a committee of the whole, on the bill entitled as follows :

"An act to amend the act entitled, 'An act incorporating the Sackett's Harbor and Saratoga railroad co.,' passed April 10, 1848."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Baker, from said committee, reported that the committee had gone through said bill, and agreed to the same without amendment.

Mr. Elderkin moved that the report of the committee be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the negative.

Mr. Elderkin moved to amend said bill by striking out all of said bill, and substituting Assembly bill entitled, "An act to amend the act entitled, 'An act incorporating the Sackett's Harbor and Saratoga railroad company,' passed April 10, 1848," except that in the second section of said Assembly bill, the word "five" is to be for "fifteen," wherever it occurs in said section.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the negative.

Mr. Elderkin offered the following amendment : add another section, as follows :

§ 2. This act shall not apply to lands mentioned in chap 249, Laws of 1850, passed April 9, 1850.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the negative.

Mr. Speaker announced the question to be on agreeing with the report of the committee

Mr. Speaker then put the question whether the House would agree to the report of the said committee, and it was determined in the affirmative.

On motion of Mr. H. J. Allen,

The House then, at ten minutes past seven o'clock, adjourned.

THURSDAY, MARCH 20, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Miller.

The minutes of Tuesday and Wednesday were read.

Mr. Anthon submitted a written protest, (which was read by the Clerk,) and moved that the journal be amended by inserting it imme-

diately after the resolution declaring Hamilton Fish duly elected Senator.

Debate being had thereon,

Mr. Underwood called for the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then announced the question to be on the motion of Mr. Anthon.

Mr. Wooster asked to be excused from voting.

Mr Speaker put the question whether the House would agree to excuse Mr. Wooster, and it was determined in the affirmative.

Mr. Hatch asked to be excused from voting.

Mr. Speaker put the question whether the House would agree to excuse Mr. Hatch, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Anthon, and it was determined in the negative.

{ AYES 37 }
{ NOES 51 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Congdon	W. S. Gregory	E. Perry	Shall
Anthon	Dennison	Higby	Pool	E. T. Smith
Barnes	Dewey	Jayne	Rider	Stewart
Blackstone	Dougherty	Kinsley	Robinson	Stilwell
Bowne	Doyle	Lewis	Rockwell	Stratton
Burroughs	Elderkin	Macomber	W. Russell	Swords
J. F. Clark	Fitzhugh	Maurice	Ryan	A. A. Thompson
Colvin	French			37

Those who voted in the negative are,

J. W. Babcock	Cooke	L. Harris	Moss	Stevens
Baker	Corser	Heath	Pardee	Speaker
Belknap	Douglass	Hewit	Rouse	Tuthill
J. Benedict	Ferris	Hoppin	Rowe	Underwood
Bird	Feller	Ingersoll	Rumsey	Wakeman
Botum	Fordyce	Kellogg	Severance	Ward
Bradley	Gilbert	Lake	Sherman	Welden
Brayton	Gleason	Leggett	Shultes	Wheeler
Briggs	A. A. Gregory	McLouth	A. Smith	Whiteside
Cady	H. Harris	Miles	Southwick	Yeomans
Chamberlin				51

Mr. Elderkin moved that the journal be amended by inserting after that portion which relates to the election of a Regent of the University, that the Speaker announced said election to the House.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the negative.

The minutes were then approved.

Mr. Speaker announced the following select committee on the bill to amend the act concerning passengers arriving at the ports of entry and landings in this State : Messrs. Moss, A. A. Gregory and J. F. Clark.

Mr. Lake presented two petitions of sundry inhabitants of Livingston co., for the prohibition of the sale of intoxicating drinks, which were read and referred to the committee of the whole.

Mr. Wright presented the petition of 94 citizens of New Lisbon, Mr. Severance the petition of citizens of Evans, Erie co., Mr. E. T. Smith the petition of citizens of Suffolk co., Mr. Ferris the petition of citizens of Tioga co., Mr. Barnes the petition of citizens of Orange co., Mr. A. A. Gregory two petitions of citizens of Cattaraugus co., for the repeal or modification of the free school law, which were read and referred to the committee of the whole.

Mr. Severance presented the remonstrance of citizens of Buffalo, against the passage of an act compelling banks to redeem their notes in Albany and New-York, at a less discount than at present, which was read and referred to the committee on banks and insurance companies.

Mr. Rowe presented the petition of trustees and others of consolidated school district No. 2 in Batavia, for the passage of an act to levy a tax for the support of schools therein, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Macomber presented two petitions to prevent the diversion of the New-York and Erie railroad into New Jersey, which were read and referred to the committee on railroads.

Mr. Miles presented the petition of sundry citizens of Corning, Steuben co., for placing a copy of Webster's quarto dictionary in each of the school districts of this State, which was read and referred to the committee of the whole.

Mr. Noble presented the petition 81 citizens of Chester and Johnsbury, Warren co., for an appropriation for the erection of a bridge cross the Hudson river, between these towns, which was read and referred to the committee on commerce and navigation.

Mr. Gleason presented the petition of 204 citizens of Ontario and Livingston co's., for an appropriation to enable the Attorney General to procure the necessary evidence to enable him to prosecute the suits instituted by him to test the title to the Pulteney and Hornby lands, which was read and referred to the committee of the whole.

Mr. Ferris presented the petition of Samuel and John Giles of Ithaca, Tompkins co., for relief, which was read and referred to the committee on grievances.

Mr. Blackstone presented the remonstrance of Anson G. Phelps, George Griswold, Brown, Brothers & co., and others, against the application of the mayor, aldermen and commonalty of the city of New-York, for authority to raise money by loan and also against certain provisions in the annual tax bill, which was read and referred to the committee of the whole.

Mr. T. H. Benedict presented the remonstrance of the citizens of

Yonkers, Westchester co., against the diversion of the trade and travel of the Erie railroad, into the State of New Jersey, which was read and referred to the committee on railroads.

Mr. Ferris presented the petition of inhabitants of Waverly, Tioga co., for a law authorising the appointment of Joseph E. Hallett as a commissioner of deeds, which was read and referred to the committee on the judiciary.

Mr. Sherman presented two petitions of Walter Millard and others, for a charter for a ferry across the Hudson river at New Hamburg, which were read and referred to the committee on commerce and navigation.

Mr. Sherman presented the petition of Stephen Haight and others, that the line between the towns of Washington and Pleasant Valley be defined, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. T. H. Benedict presented the petition of the officers of the Westchester mutual insurance company, for an amendment to their charter, which was read and referred to the committee on banks and insurance companies.

Mr. Cady presented the remonstrance of inhabitants of Brooklyn, against the repeal of the act creating the city court, which was read and referred to the committee on the judiciary.

Mr. Bird presented the petition of the chiefs, sachems and headmen of the Tuscarora nation of Indians, praying that the Lockport and Niagara Falls railroad company may not be permitted to make a new track across their reservation, which was read and referred to the committee on railroads.

Mr. Wakeman presented the remonstrance of members of the New-York bar, against the bill for the abolition of the office of the clerk of the superior court of the city of New-York, and that the duties thereof be performed by the county clerk, which was read and referred to the select committee consisting of the New-York delegation.

Mr. Baker presented the resolution of the board of trustees of Williamsburgh, relative to the courts of Kings co., which was read and referred to the committee on the judiciary.

Mr. Snell presented the petition of inhabitants of Tioga co., for extending the powers of notaries public, which was read and referred to the committee on the judiciary.

Mr. Moss presented the petition of Julius F. H. Miller, for an act authorising him to change his name to Julius F. Huleman, which was read and referred to the committee on the judiciary.

Mr. Higby presented the remonstrance of 45 citizens of Steuben co., against an act allowing the Pulteney and Hornby estates to perpetuate testimony, also for a law making appropriations to procure testimony in certain suits, which was read and referred to the committee of the whole.

Mr. Baker presented the resolution of the trustees of Williamsburgh, relative to Bushwick inlet, which was read and referred to the committee on the judiciary.

Mr. Burroughs presented the petition of 200 citizens of Orleans

co., Mr. Fitzhugh the petition of 800 citizens of Rochester, Mr. Moss the petition of 700 citizens of Rochester, Mr. Benedict the petition of inhabitants of Oneida co., which were read and referred to the committee of the whole.

Mr. Gilbert presented the petition of citizens of Jefferson co., for the repeal of the free school law and the re-enactment of the old, which was read and referred to the committee of the whole.

Mr. Cooke presented the remonstrance of inhabitants of Ashland, Greene co., against the alteration or amendment of the statutes in relation to the Schoharie kill bridge co., which was read and referred to the committee on roads and bridges.

Mr. Rowe presented three remonstrances against the passage of any act authorising the trustees of consolidated school district No. 2, in the town of Batavia, Genesee co., to levy a tax for the support of schools therein, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Baker presented the petition of citizens of the village of Williamsburgh, in relation to the courts of Kings co., which was read and referred to the committee on the judiciary.

Mr. Fitzhugh presented the petition of the president and secretary of the Monroe co. savings institution, for an amendment of their charter, which was read and referred to the committee on banks and insurance companies.

Mr. Gleason presented the remonstrance of 76 electors of the town of Harpersfield, Delaware co., against any division of said town for the formation of a new town at the head of the Delaware, which was read and referred to the committee on the erection and division of towns and counties.

The petition of 222 citizens of Black Rock, N. Y., in favor of the bill now before the Legislature providing for the immediate enlargement of the Erie canal, &c., was read and referred to the committee of the whole.

Mr. Cooke presented the remonstrance of inhabitants of Ashland, Greene co., against any alteration or amendment of the statutes in relation to the Schoharie kill bridge co., which was read and referred to the committee on roads and bridges.

Mr. Hewit presented three petitions of 550 citizens of Plattsburgh, for an act to amend the general plank road law, which was read and referred to the committee on roads and bridges.

Mr. Gleason presented the remonstrance of 86 citizens of Ontario and Livingston counties, against perpetuating testimony by Pulteney and Hornby trustees, which was read and referred to the committee on the judiciary.

Mr. Gleason presented the remonstrance of 54 citizens of Stamford, against any dismemberment of said town at the head of the Delaware river, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Varnum presented sundry resolutions, in the nature of a petition, from the common council of New-York, extending the hospitalities of said city to the Legislature.

Mr. Ward offered for the consideration of the House, resolutions in the words following, to wit:

Resolved, (If the Senate concur,) That the Legislature do accept the invitations of the People's steamboat association and of the common council of the city of New-York, and that a joint committee be appointed to carry this acceptance into effect.

Resolved, (If the Senate concur,) That when this House adjourns on Friday, the 21st inst., they will adjourn until Tuesday, the 25th.

Resolved, (If the Senate concur,) That this Legislature will not adjourn sine die before the 19th day of April next.

By unanimous consent,

Mr. Green, from the select committee, to which was referred the invitation of the People's line of steamboats, reported in writing, and offered the following resolution :

Resolved, That the invitation of Daniel Drew and Isaac Newton, in behalf of the People's steamboat association, be accepted, and that when the House adjourns on Friday, it will adjourn until Tuesday next, provided the consent of both Houses by concurrent resolution is obtained for that purpose, and that the evening of Friday be designated as the time when the members, officers and reporters of the House will avail themselves of the invitation.

Mr. Robinson offered the following amendment :

Resolved, That the House accept the invitation of the proprietors of the People's line of steamboats, and that this House will adjourn on the 17th day of April for such purpose.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said resolutions offered by Mr. Ward, and it was determined in the affirmative.

Mr. Townsend, from the committee on the judiciary, to which was referred several petitions in relation to the election of recorders, reported, and asked and obtained leave to bring in a bill entitled, "An act to provide for the election of recorders in cities," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the petition of citizens of Fort Ann, for an amendment to their charter, reported, and asked and obtained leave to bring in a bill entitled, "An act to amend the act relative to the village of Fort Ann," which was read the first time and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the several petitions in relation to the road tax in the village of Fort Plain, reported, and asked and obtained leave to bring in a bill entitled, "An act in relation to the village of Fort Plain," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act to amend an act for the incorporation of villages, passed Dec. 7, 1847," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Pardee, from the committee on the erection and division of towns and counties, to which was referred several petitions for the erection of a new county from parts of the counties of Greene, Delaware and Otsego, reported the following resolution :

Resolved, That the petitioners have leave to withdraw their petitions.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Pardee, from the committee on the erection and division of towns and counties, to which was referred the petitions for the erection of a new county from parts of the counties of Madison, Chenango and Otsego, reported the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Wooster, from the majority of the committee on the erection and division of towns and counties, to which was referred the petitions and other papers relating to the division of Wayne co., reported in writing, and offered the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

(See Doc. No. 127.)

Ordered, That the said resolution be laid upon the table.

Mr. Ward, from the committee on charitable and religious societies, to which was referred the Senate bill entitled, "An act to incorporate the New-York juvenile asylum," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Ward, from the committee on charitable and religious societies, to which was referred the Senate bill entitled, "An act to exempt from taxation burial grounds, cemetery lots and property belonging to incorporated hospital societies," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Ferris, from the committee on the petitions of aliens, to which was referred the petition of Jane Farley and others, for relief, reported, and asked and obtained leave to bring in a bill entitled, "An act to

release the interest of the State in certain real estate, of which Edward Farley died seised," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Heath, from the committee on the judiciary, to which was referred the petition of T. W. Williams and others of Dutchess co., praying for the passage of a law to pay the necessary expenses of witnesses in criminal cases, reported the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Stilwell, from the minority of the committee on agriculture, to which was referred the subject of an agricultural college, reported in writing.

Mr. Elderkin moved that three times the usual number of this report be printed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the affirmative.

By unanimous consent,

Mr. Stevens asked for and obtained leave to bring in a bill entitled, "An act to amend an act to incorporate the city of Syracuse, passed December 14, 1847, and also the act amending the same, passed April 5, 1849, and also the act amending said act, passed April 4, 1850," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the petition of Wilkins, Carter & co., and nine other booksellers of the city of Boston, praying that a copy of Worcester's unabridged dictionary may be placed in the school district libraries of this State, reported the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. J. Benedict moved to lay the report on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. J. Benedict, and it was determined in the affirmative.

Mr. T. H. Benedict, from the committee on colleges, academies and common schools, to which was referred the bill entitled, "An act to amend an act to establish a free school in district No. 3, in the town of Newtown," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Bird, from the committee on the internal affairs of towns and counties, to which was referred the Senate bill entitled, "An act to authorise the town of Flushing in the county of Queens, to raise

money by tax for the purchase of a farm for the support of the poor, and to sell part of their town lands," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

On motion, leave of absence was granted to W. F. Russell 4 days, Mr. Nelson three weeks, Mr. Norton for the remainder of the session.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred the Senate bill entitled, "An act to incorporate the Ulster county savings institution," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred the Senate bill entitled, "An act in relation to mutual fire insurance companies," reported the same for the consideration of the House.

Ordered, That said bill be committed to the committee of the whole.

On motion of Mr. Townsend,

Resolved, That the petition of Thos. W. Dixon for relief, be re-committed to the committee on the judiciary.

Mr. Speaker announced the following select committee on the bill to amend the charter of Syracuse: Messrs. Stevens, Wooster, Moss, Le Roy and Underwood.

Mr. Miles, from the select committee, to which was referred the bill entitled, "An act to provide for building a court house and jail in the town of Addison, in the county of Steuben, and the holding courts in and for said county alternately at Bath and Addison," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment.

Mr. Higby moved to recommit the bill to the select committee, with instructions to insert the town of Parttsburgh instead of Addison, in said county.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Higby, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the report of the said committee, and it was determined in the affirmative.

Ordered, That said bill be engrossed for a third reading.

The Senate returned the joint resolutions relative to the proposed adjournment, for the purpose of visiting the city of New-York &c., with a message that they had concurred in the same with the following amendments: amend the second resolution by striking out the word "House" and insert "Legislature;" amend the third resolution by striking out "19th day of April" and inserting "18th day of April."

Mr. Speaker put the question whether the House would agree to the Senate's amendments, and it was determined in the affirmative.

In pursuance of previous notice Mr. Ward moved to suspend the fourth rule in order to allow the bill entitled, "An act to incorporate the Broadway savings bank," to be referred to a select committee to report complete.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Ward, and it was determined in the affirmative.

Mr. Ward offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That Assembly bill No. 369 being an act to incorporate the Broadway savings institution, in the city of New-York, be referred to a select committee with power to report complete.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. Underwood, from the select committee, to which was referred the Senate bill entitled, "An act to amend the act entitled, 'An act to authorise the business of banking,' passed May 26, 1841," to report complete, reported that the committee had gone through said bill and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Speaker announced that there were now more than ten bills ready for a third reading.

Mr. Townsend, moved that Tuesday, immediately after the reading of the journal, be set apart for such reading.

Mr. A. A. Thompson moved to amend by substituting eleven o'clock for immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. A. A. Thompson, and it was determined in the affirmative.

Mr. Burroughs, from the select committee, to which was referred the petition for the laying out of a highway upon the bank of the Tonawanda and Oak Orchard canal feeder, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the laying out of a highway upon the bank of the Tonawanda and Oak Orchard canal feeder," which was read the first time and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Ryan, from the minority of the select committee on excise, to which was referred several petitions in relation to the sale of intoxicating liquors, reported in writing, and asked and obtained leave to bring in a bill entitled, "An act to amend the several acts relating to excise," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(See Doc. No. 118.)

Mr. Varnum, from the select committee, to which was referred the bill entitled, "An act to amend an act entitled, 'An act for the more ef-

fectual collection of taxes and assessments in the city of New-York,' passed April 12, 1816," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Varnum, from the select committee consisting of the New-York delegation, to which was referred the petition of the board of supervisors of the city and county of New-York, praying the passage of the following bill, reported, and asked and obtained leave to bring in said bill entitled, "An act relating to the courts of general and special sessions of the peace in and for the city and county of New-York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Underwood, from the select committee of nine, reported the following bills as proper to be referred to select committees to report complete, to wit:

"An act to incorporate the Utica art association for the promotion of the fine arts."

"An act to authorise the election of a supervisor in each ward in the city of Utica."

"An act to incorporate the Ulster and Tivoli ferry co."

"An act to alter the map or plan of the city of New-York, by extending Washington-st., in said city, from its present termination at Gansevoort-st. to Twelfth-st."

Senate bill, "An act to authorise the minister, elders and deacons of the Reformed Protestant Dutch church, of the town of German Flatts, to sell and convey certain lands in said county."

Senate bill, "An act relative to Freeman's bridge co., in the county of Schenectady."

"An act to amend an act entitled, 'An act to vest certain powers in the freeholders and inhabitants of the village of Cooperstown, in the county of Oswego,' passed June 12, 1812, and the act amendatory of the same."

"An act to incorporate the Northern New-York live stock insurance company."

"An act to amend the charter of the village of Saratoga Springs."

"An act to change the names of Louise Handley and Montague Handley, to Louise Handley Hall and Montague Handley Hall."

"An act to authorise the Durhamville and Wood Creek plank road company to take toll upon their road."

"An act authorising the directors of the Russia and North Gage plank road company to borrow six thousand dollars, and assess the stockholders for the payment of the same."

"An act to incorporate the Franklinite company, for the exportation and manufacturing of the Franklinite and other ores."

"An act to amend an act to incorporate the New-York gallery of the Fine Arts, passed May 13, 1845."

"An act to amend the act entitled, 'An act to provide for the incorporation of villages,' passed December 7, 1847, so far as relates to the village of Cohoes."

"An act declaring valid the proceedings of the superintendents of the poor of the county of Niagara, and the effect of certain proceedings of the board of supervisors of said county."

"An act declaratory of the construction of section fifty-three, of article four, of title three, of chapter one, of part four of the Revised Statutes."

"An act to amend the act entitled, 'An act to organize the State Lunatic Asylum, and more effectually to provide for the care, maintenance and recovery of the insane, passed April 7, 1842.'"

"An act to confirm the title of Anna Mariah Smidt to certain real estate in the county of Erie."

The Senate bill entitled, "An act to authorise the village of Canastota to be a separate road district."

Mr. Speaker put the question whether the House would agree to the report of the said committee, and it was determined in the affirmative.

Mr. Varnum, from the select committee consisting of the New-York delegation, to which was referred the bill entitled, "An act to abolish the office of clerk of the superior court of the city of New-York," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. H. Harris, from the majority of the select committee, to which was referred the bill entitled, "An act to amend the act to combine into one act the several acts relating to the city of Albany," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment.

Mr. E. Perry, from a minority of said committee submitted a report in writing.

Mr. E. Perry moved that the report of the majority of the committee lie upon the table, and that the report of the minority be printed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. E. Perry, and it was determined in the affirmative.

Mr. Robinson, from the select committee, to which was referred the bill entitled, "An act to amend the act entitled, 'An act to make certain pauper expenses town charges in Dutchess county,' passed April 6, 1850," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Burroughs moved that the customary recess be dispensed with for this day.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

By unanimous consent,

Mr. Stewart asked for and obtained leave to bring in a bill entitled,

"An act to amend an act to authorise the laying out of a road from Newkirk Mills to Piseco village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Backhouse, from the select committee consisting of the Kings county delegation, to which was referred the petition for the widening of an avenue in the county of Kings, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the opening, regulating &c., of an avenue in the village of Williamsburgh and city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Macomber, offered for the consideration of the House, resolutions in the words following, to wit:

Resolved, That the several bills in relation to the State prisons be made the special order for to morrow immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

Mr. Ryan moved to reconsider the vote taken on the motion to make Tuesday next the day for the third reading of bills.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Ryan, and it was determined in the affirmative.

The question recurring on the resolution assigning Tuesday as the day for such reading,

Mr. Varnum moved to amend by substituting "to morrow" for "Tuesday."

Mr. Burroughs moved to amend by substituting "Wednesday" for "to morrow."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. Burroughs,

Resolved, That the bills relative to common schools be made the special order for to morrow immediately after the reading of the journal.

Mr. Wakeman offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That bill No. 308 in relation to taxes and assessments, be made the special order for to morrow at 12 o'clock.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

Mr. Speaker announced the following select committee on the bill to amend the charter of the village of Oswego, with power to report complete : Messrs. Underwood, Ferris and E. Perry.

Mr. Hatch gave notice that he would, at an early day, ask to have

the 4th rule of this House suspended in relation to printed bill No. 302.

In pursuance of notice, and on motion of Mr. Rouse,

Resolved, That the 4th rule of this House be suspended to permit Assembly bills No. 85 and 151 of the general orders, to be taken from the committee of the whole and referred to select committees to report complete, and that said bills be so taken and referred.

Mr. Fordyce gave notice that he would, at an early day, move to suspend the fourth rule of order of this House.

Mr. Speaker announced the following joint select committee of arrangements to carry into effect the acceptance by the Legislature of the invitation to visit New-York city : Messrs. Ward, J. Benedict, Burroughs, Varnum and Feller

Mr. Ward asked to be excused from serving on said committee.

Mr. Speaker put the question whether the House would agree to excuse Mr. Ward, and it was determined in the affirmative.

Mr. Speaker presented the annual report of the Secretary of State relating to the criminal convictions in the State during the year 1850.

Mr. Lyon presented the report of the trustees of Washington's Head Quarters at Newburgh, showing the condition thereof.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows :

"An act to extend the charter of the Ontario and Livingston mutual insurance co.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

On motion of Mr. Briggs,

Resolved, That the Speaker be appointed to fill the vacancy upon the committee appointed to make arrangements for the proposed visit by the Legislature to the city of New-York, occasioned by the excusing of Mr. Ward from serving on said committee.

"An act to make a road district of the village of Elbridge, and concerning the payment of taxes therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act in relation to the powers and duties of canal superintendents."

Mr. Speaker put the question whether the House would agree to the Senate's amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 72 }
{ NOES 39 }

Those who voted in the affirmative are,

Antho	Chamberlin	W. S. Gregory	McLouth	Southwick
Atwood	Cooke	Greene	Macomber	Stevens
J. W. Babcock	Congdon	H. Harris	Miles	Swords

Backhouse	Corser	L. Harris	Minier	Speaker
Baker	Dewey	Heath	Moas	Townsend
Belknap	Douglass	Hinds	Pardee	Tuthill
J. Benedict	Farr	Hoppin	Rouse	Underwood
T. H. Benedict	Ferris	Humphrey	Rowe	Varnum
Bird	Feller	Ingersoll	Rumsey	Wakeman
Blackstone	Fisk	Kellogg	Ryan	Ward
Bottum	Fordyce	Lake	Severance	Welden
Bradley	Gilbert	Langdon	Sherman	Wheeler
Brayton	Gleason	Leggett	Shultes	Whiteside
Briggs	Graham	Lesley	A. Smith	Yeomans
Cady	A. A. Gregory			

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Those who voted in the negative are,

H. J. Allen	Dennison	Jayne	E. Perry	Stewart
R. Babcock	Dougherty	Kinsley	Pool	Stilwell
Bowne	Doyle	Lawyer	Rider	Stratton
Burroughs	Elderkin	Le Roy	Rockwell	A. A. Thompson
Bushnell	French	Lewis	W. Russell	O. C. Thompson
J. F. Clark	Hatch	Lyon	Shall	Wooster
Colvin	Higby	Maurice	Sickles	Wright
Davis	Horton	Noble	Snell	

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Ordered, That the Clerk return the said bill to the Senate, with a message informing, that the Assembly have concurred in the said amendments, and amended the same accordingly.

Mr. A. A. Thompson offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That so much of the journal of this House as relates to the recent election of Hamilton Fish to the United States Senate, be, and the same is hereby expunged ; and that the Clerk of this House be, and he is hereby instructed to withhold from said Hamilton Fish, or from any other person, whatever, a certificate of the proceedings of this House relating to said election, said proceedings being, in the opinion of this House, unconstitutional and absolutely void.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

Mr. J. Benedict moved to take from the table the resolution reconsidering the vote on the final passage of the bill entitled, "An act to authorise the Butternuts and Oxford turnpike company to abandon a part of their road."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. J. Benedict, and it was determined in the affirmative.

Debate was had thereon, when

Mr. J. Benedict moved to lay the motion to reconsider on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. J. Benedict, and it was determined in the affirmative.

The bill entitled, "An act to authorise the Comptroller to return to their proper owners certain moneys paid under protest to the health commissioners of the city of New-York on account of certain ships and vessels," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 78 }
{ NOES 01 }

Those who voted in the affirmative are,

H. J. Allen	J. F. Clark	A. A. Gregory	McLouth	A. Smith
Atwood	Colvin	W. S. Gregory	Macomber	E. T. Smith
R. Babcock	Cooke	Greene	Miles	Snell
J. W. Babcock	Corser	L. Harris	Minier	Southwick
Backhouse	Davis	Hewit	Moss	Stevens
Belknap	Dougherty	Higby	Pardee	Stratton
Bird	Douglass	Hinds	E. Perry	Swords
Blackstone	Doyle	Hoppin	Pool	A. A. Thompson
Bottum	Elderkin	Ingersoll	Robinson	Townsend
Bowne	Farr	Kellogg	Rockwell	Tutbill
Bradley	Ferris	Langdon	Rowe	Wakeman
Brayton	Feller	Lawyer	Rumsey	Wheeler
Briggs	Fisk	Leggett	Severance	Whiteside
Burroughs	Fordyce	Le Roy	Sherman	Wooster
Bushnell	Gilbert	Lesley	Sickles	Wright
Cady	Graham	Lewis		

78

For the negative,

Stilwell

1

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act for the payment of Wm. George Barnhart, Jacob Barnhart, Geo. Robertson, George Gallinger and George Snetzinger, of the amount of their damages appraised by the commissioners appointed under an act passed April 10, 1850," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 91 }
{ NOES 01 }

Those who voted in the affirmative are,

H. J. Allen	Cooke	Hinds	Moss	Snell
Anthon	Davis	Horton	Noble	Southwick
Atwood	Dougherty	Hoppin	Pardee	Stevens
R. Babcock	Elderkin	Humphrey	E. Perry	Stilwell
J. W. Babcock	Farr	Ingersoll	Pool	Swords
Backhouse	Ferris	Jayne	Rider	A. A. Thompson
Belknap	Feller	Kinsley	Rockwell	O. C. Thompson
J. Benedict	Fisk	Kellogg	Rouse	Townsend
T. H. Benedict	Fordyce	Langdon	Rowe	Tutbill

Bird	Gilbert	Lawyer	Rumsey	Underwood
Bowne	Gleason	Leggett	W. Russell	Varnum
Bradley	Graham	Le Roy	Ryan	Wakeman
Brayton	A. A. Gregory	Lesley	Severance	Ward
Burroughs	L. Harris	Lewis	Shall	Welden
Bushnell	Hatch	Lyon	Sherman	Wheeler
Cady	Heath	Macomber	Shultes	Whiteside
Chamberlin	Hewit	Maurice	Sickles	Wooster
J. F. Clark	Higby	Miles	E. T. Smith	Wright
Colvin				

9

For the negative,

Briggs

1

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Varnum moved that this order of business be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Varnum, and it was determined in the negative.

The bill entitled, "An act to establish and organize a bank department," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 69 }
{ NOES 39 }

Those who voted in the affirmative are,

Anthon	Chamberlin	W. S. Gregory	Lesley	Stevens
Atwood	Colvin	Greene	McLouth	Swords
J. W. Babcock	Cooke	H. Harris	Macomber	Townsend
Backhouse	Corser	L. Harris	Miles	Tuthill
Baker	Dewey	Heath	Moss	Underwood
Belknap	Douglass	Hewit	Pardee	Varnum
J. Benedict	Farr	Hinds	Rouse	Wakeman
T. H. Benedict	Ferris	Hoppin	Rowe	Ward
Bird	Feller	Humphrey	Rumsey	Welden
Blackstone	Fisk	Ingersoll	Severance	Wheeler
Bottum	Fordyce	Kellogg	Sherman	Whiteside
Bradley	Gilbert	Lake	Shultes	Wright
Brayton	Graham	Langdon	A. Smith	Yeomans
Briggs	A. A. Gregory	Leggett	Southwick	

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Those who voted in the negative are,

Barnes	Dougherty	Kinsley	Pool	E. T. Smith
Bowne	Doyle	Lawyer	Rider	Snell
Burroughs	Elderkin	Le Roy	Robinson	Stilwell
Bushnell	French	Lewis	Rockwell	Stratton
J. F. Clark	Hatch	Maurice	W. Russell	A. A. Thompson
Congdon	Higby	Minier	Ryan	O. C. Thompson
Davis	Horton	Noble	Shall	Wooster
Dennison	Jayne	E. Perry	Sickles	

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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Varnum moved to lay this order of business, being that of third reading of bills, on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Varnum, and it was determined in the affirmative.

Mr. Hatch moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Hatch, and it was determined in the negative.

In pursuance of previous notice, Mr. Ferris asked for and obtained leave to bring in a bill entitled, "An act to provide for removing obstructions from the outlet of Cayuga lake and lowering said lake," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the Cayuga and Tompkins co. delegations.

On motion of Mr. L. Harris,

Resolved, That the papers on the files of this House relative to the claim of Roswell and Cha's Blackman, be taken therefrom and referred to the standing committee on claims.

On motion of Mr. Ingersoll,

Resolved, That the papers relating to the claim of Harman Terwillegar for canal damages, be taken from the files of this House and referred to the committee on claims.

On motion of Mr. Dewey,

Resolved, That ten times the usual number of the minority report of the committee on excise be printed.

Mr. Varnum moved to lay this order of business, being that of motions, resolutions and notices on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Varnum, and it was determined in the negative.

In pursuance of previous notice, and on motion of Mr. A. Smith,

Resolved, That the fourth rule of this House in relation to Assembly bill printed No. 145, and Senate bill printed No. 5 be suspended, and that the same be referred to a special committee to report complete.

Mr. Cady gave notice that he would, at a future day introduce a bill entitled, "An act conferring additional powers on courts of special sessions."

Mr. Ryan gave notice that (as the Lewis county bank has now failed for the third time and that many laborers are suffering by the same,) he would ask leave to introduce a bill for the repeal of its charter at an early day.

In pursuance of previous notice, and on motion of Mr. Maurice,

Resolved, That the fourth rule be suspended so far as relates to Senate bill No. 13 entitled, "An act for the relief of Henry Talmage," and that such bill be referred to a select committee to report complete.

By unanimous consent,

Mr. Robinson asked for and obtained leave to bring in a bill entitled, "An act to determine the line between the towns of Washington and Pine Valley in the county of Dutchess," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the Dutchess county delegation.

By unanimous consent,

Mr. Robinson asked for and obtained leave to bring in a bill entitled, "An act to establish a ferry across the Hudson river at New Hamburg," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of the Dutchess county delegation.

By unanimous consent,

Mr. Robinson asked for and obtained leave to bring in a bill entitled, "An act respecting incendiarism &c., for Poughkeepsie," which was read the first time, and by unanimous consent was also read a second time, and referred to the select committee consisting of the Dutchess county delegation.

In pursuance of previous notice, Mr. Colvin asked for and obtained leave to introduce a bill entitled, "An act to empower the Cato and Victory plank road company to dispense with the construction of a part of their road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

On motion of Mr. Snell,

Resolved, That Assembly bill No. 357 general orders, being an act for the relief of Charity Van Alstyne, be referred to the same committee of the whole having charge of the Senate bill for the relief of Jairus Folts.

Mr. Tuthill moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Tuthill, and it was determined in the negative.

Mr. Stevens, in pursuance of previous notice, moved that the fourth rule of this House be suspended so as to have Assembly bill No. 321, in relation to the Onondaga salt springs, and 231, for relief of the bail of C. M. Brosnan, late treasurer of Onondaga co., be taken from the committee of the whole and each referred to a select committee with power to report complete.

Mr. Stevens offered for the consideration of the House, a resolution, in the words following, to wit:

Resolved, That ten times the usual number of the report of the select committee on the subject of capital punishment be printed for the use of the Legislature.

Ordered, That the said resolution be referred to the committee on printing.

On motion of Mr. Wheeler,

Resolved, That Senate bill No. 64, being an act to supply the Black river canal, and the Black river with water by draining the

Lakes at the head of Black, Moose and Beaver rivers, be made a special order for the 27th day of March, at 12 o'clock noon.

On motion of Mr. Wakeman,

Resolved, That bill No. 308 in relation to taxes &c., be made the special order for to morrow at 4 o'clock p. m.

On motion of Mr. Rowe,

Resolved, That the petition and remonstrances in reference to school district No. 2 in the town of Batavia, Genesec co., be taken from the committee to whom they were referred, and referred to a select committee consisting of the delegation from Genesee county.

Mr. Burroughs gave notice that he would, at some future day, move to suspend the fourth rule so far as it relates to Assembly bill relating to the laying out of a highway upon the canal feeder bank in Genesee and Orleans counties.

On motion of Mr. Hatch,

Resolved, That the petition of Thos H. Dixon be recommitted to the committee on the judiciary.

On motion of Mr. H. J. Allen,

Resolved, That Tuesday next, immediately after the reading of the journal, be devoted to the consideration of private claims, and that they be considered in their order on the general orders.

Mr. Baker gave notice that he would, at a future day, ask to have the 4th rule suspended, in order to refer the bill to incorporate the Williamsburgh savings bank to a select committee to report complete.

Mr. Rowe gave notice of his intention to introduce a bill for the relief of the trustees in school district No. 2, in Batavia, Genesee co.

Mr. Rowe gave notice that he would ask leave to suspend the 4th rule.

Mr. J. F. Clark moved to take from the table the resolution heretofore offered by Mr. W. F. Russell, in relation to the report of the committee on privileges and elections on the contested seat from Yates co.

Mr. Varnum moved that this order of business be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Varnum, and it was determined in the affirmative.

Mr. Dougherty moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Dougherty, and it was determined in the negative.

Mr. Varnum moved that the House go into committee of the whole on the bill entitled, "An act in relation to certain controversies respecting the Tonawanda Indian reservation."

Mr. Elderkin moved that the House also go into committee of the whole on the Senate bill entitled, "An act to authorize the railroad corporations of this State to subscribe to the stock of the Great Western railroad, Canada West."

Mr. Higby moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Higby, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Varnum, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole on the said bills.

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Higby, from said committee, reported that the committee had gone through the first mentioned bill, and agreed to the same without amendment, which report was agreed to.

Mr. Higby, from said committee, reported progress on said last mentioned bill and asked and obtained leave to sit again.

A message from the Senate was received and read, announcing the appointment of the following joint select committee on the part of the Senate, to carry into effect the acceptance by the Legislature of the invitation to visit New-York : Lient. Gov. Church, Messrs. Morgan, Owen and Stanton.

On motion of Mr. Wright,

The House then, at half-past two o'clock, adjourned.

FRIDAY, MARCH 21, 1851.

The House met pursuant to adjournment. ●

Prayer by the Rev. Mr. Moore

The minutes of yesterday were read and approved.

Mr. Speaker announced the following bills as referred to select committees, hereinafter named; with power to report complete, to wit :

"An act appointing commissioners to lay out a public highway in the towns of Westmoreland and Verona, in the county of Oneida," the delegation from Oneida co.

"An act in relation to plank roads and turnpike roads," the delegation from Oneida co.

Mr. Speaker presented the following communication, to wit :

To the Hon. the Speaker of the Assembly:

SIR,—I beg leave to signify to the Assembly that I accept the office of Regent of the University, to which I have been appointed by the Legislature.

Very respectfully, &c.,

Albany, March 21, 1851.

J. N. CAMPBELL.

The following communication was received from the Board of Education of New-York, to wit :

The Hon. HENRY J. RAYMOND,

Speaker of the Assembly:

DEAR SIR,—At a meeting of the Board of Education, held 19th inst., the following resolutions were unanimously adopted :

• WHEREAS, The Legislature of this State, the Governor, Lieut. Governor, and State Officers, have accepted an invitation to visit the city of New-York, therefore,

Resolved, That they be respectfully invited to examine the common schools and Free Academy of this city.

Resolved, That a committee of five be appointed for the purpose of communicating with the members of the Legislature and State Officers on their arrival.

Resolved, That a copy of these resolutions, duly authenticated, be forwarded to the presiding officers of the Senate and Assembly.

By order of the Board,

E. C. BENEDICT, *Pres't.*

Mr. Speaker presented the report of the commissioners appointed to supervise the receipts and expenditures of certain charitable societies in New-York city and Staten Island.

Mr. Speaker announced the special order, being the several bills relating to free schools.

Mr. Blackstone moved that the special order be postponed until after the presentation of petitions.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Blackstone, and it was determined in the affirmative.

Mr. Blackstone presented the remonstrance of Wm. B. Astor and others, against the application of the mayor, aldermen and commonalty of the city of New-York, for authority to raise money by loan, and also against the use of the money raised by tax for any other purposes but such as are authorised specially, which was read and referred to the committee of the whole.

Mr. Ward presented the petition of Garrit H. Striker and others, for a law regulating the mode of assessing and fixing the value of water grants in the city of New-York, which was read and referred to a select committee consisting of the New-York delegation.

Mr. Hewit presented the petition of inhabitants of Plattsburgh, for the repeal of the Law, chapter 132, Session Laws 1850, which was read and referred to the committee on the judiciary.

Mr. Rouse presented two petitions from 165 citizens of the town of Westmoreland, Oneida co., in relation to a proposed peoples' national railroad, which were read and referred to a select committee to be appointed.

Mr. Gleason presented two remonstrances of inhabitants of Stanford and Harpersfield, Delaware co., against any dismemberment of said towns, for the erection of a new town at the head of the Delaware river, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Moss presented the petition of the trustees of the village of

Niagara Falls, for an amendment to their charter, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Briggs presented the petition of the president and trustees of the village of Piermont, for an amendment of their charter, which was read and referred to the select committee consisting of the Rockland and Westchester delegations.

Mr. Elderkin presented the petition of 37 inhabitants of Piermont, for the repeal, modification or amendment of the militia law of this State, which was read and referred to the committee of the whole.

Mr. Pardee presented the petition of citizens of Ontario co., for the passage of the freeman's law, which was read and referred to the committee on the judiciary.

Mr. Jayne presented the petition of Myron Pond of Penn Yan, Yates co., that his name may be altered to that of Myron Stanton, which was read and referred to the committee on the judiciary.

Mr. Coffin presented the petition of sundry citizens of Otsego co., for the passage of a law to prohibit the sale of intoxicating drinks, which was read and referred to the committee of the whole.

Mr. Bird presented the petition of 287 citizens of Buffalo, Erie co., Mr. Yeomans two petitions of citizens of Wayne co., that the bill now before the Legislature for the enlargement of the canals, may become a law, which were read and referred to the committee of the whole.

Mr. Lyon presented the petition of D. G. McVey, for redress of grievances and the protection of his inalienable rights, and for the lawful punishment and dismissal of all unlawful members and officers, which was read and referred to the committee on the judiciary.

Mr. Briggs presented the petition of Col. John Close of the 18th regiment, in reference to the militia laws, which was read and referred to the committee of the whole.

Mr. Yeomans presented the petition of citizens of Wayne co., Mr. Jayne the petition of citizens of Yates co., Mr. A. A. Gregory the petition of citizens of Cattaraugus co., Mr. Congdon the petition of citizens of Allegany co., Mr. Ingersoll four petitions of citizens of Chenango co., for repeal or modification of the free school law, which were read and referred to the committee of the whole.

On motion of Mr. Townsend, and by unanimous consent,

The Senate bill entitled, "An act to authorize the election of an additional supervisor in the city of Schenectady," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 68 }
{ NOES 00 }

Those who voted in the affirmative are,

Antho	Coffin	H. Harris	Pardee	Stilwell
Backhouse	Colvin	E. Harris	E. Perry	Stratton
10 21	10 22	10 20	10 23	10 24

Barnes	Congdon	Hatch	Robinson	Speaker
Belknap	Corser	Heath	Rouse	O. C. Thompson
T. H. Benedict	Dennison	Hewitt	Rowe	Townsend
Bird	Douglass	Ingersoll	Rumsey	Tuthill
Blackstone	Doyle	Kinsley	Ryan	Underwood
Bottom	Elderkin	Kellogg	Severance	Wakeman
Bowne	Ferris	Langdon	Shall	Ward
Brayton	Feller	Lawyer	Sickles	Welden
Briggs	Gilbert	Leggett	A. Smith	Whiteside
Bushnell	Gleason	Macomber	Southwick	Wooster
Chamberlin	Graham	Minier	Stevens	Wright
J. F. Clark	A. A. Gregory	Moss		

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Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have concurred in the same without amendment.

Mr. Speaker then announced the special order.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to establish free schools throughout the State."

"An act to provide for the support of common schools."

"An act to legalize the acts of several school districts of this State providing for the support of common schools."

Senate bill entitled, "An act to authorise railroad corporations of this State to subscribe to the capital stock of the Great Western railroad, Canada West."

"An act for the relief of the legal representatives of Maria Miller."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Heath, from said committee, reported that the committee had gone through said third mentioned bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

Mr. Burroughs moved that the customary recess be dispensed with, for to-day.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

Mr. Heath, from said committee, reported progress on said first, second, fourth and fifth mentioned bills, and asked and obtained leave to sit again.

On motion of Mr. Humphrey,

Resolved, That a committee of two, consisting of Drs. Bottom and Tuthill, be appointed to ascertain from Mr. Le Roy whether he is afflicted with any contagious disease, and to report immediately.

Mr. Burroughs moved that the bills relating to free schools be made the special order for twelve minutes before two o'clock.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

The hour of twelve minutes to two o'clock having arrived, Mr. Speaker announced the special order.

The House then resolved itself into a committee of the whole on said bills.

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Heath, from said committee, reported that there was not a quorum present.

Mr. Pardee moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Pardee, and it was determined in the affirmative.

{ AYES 39 }
 { NOES 25 }

The ayes and noes being called for by the members,

Those who voted in the affirmative are,

R. Babcock	Corser	Jayne	Pardee	Speaker
J. W. Babcock	Elderkin	Kellogg	Rouse	Tuthill
Backhouse	Fordyce	Lake	Rumsey	Underwood
Barnes	W. S. Gregory	Langdon	W. Russell	Varnum
T. H. Benedict	Hinds	Leggett	Ryan	Welden
Bradley	Hoppin	McLouth	Shultes	Whiteside
Bushnell	Humphrey	Macomber	A. Smith	Yeomans
Congdon	Ingersoll	Minier	Stratton	39

Those who voted in the negative are,

Atwood	Gleason	Horton	Pool	Snell
Barronghe	L. Harris	Lawyer	Robinson	Stilwell
J. F. Clark	Hatch	Miles	Rockwell	Swords
Colvin	Heath	Noble	Severance	Townsend
Ferris	Higby	E. Perry	E. T. Smith	Wright
				25

A message from the Governor was received and read, in the words following, to wit:

EXECUTIVE DEPARTMENT, }
Albany, March 21st, 1851. }

To the Assembly:

I have this day approved and signed the following entitled bill:

"An act in relation to the powers and duties of canal superintendents."

WASHINGTON HUNT.

A message from the Senate was received and read, informing that they had passed without amendment, the bills entitled, as follows:

"An act to grant the right to George Truett to hold and convey real estate."

"An act to amend the act entitled, 'An act to incorporate the mutual life insurance company of New-York,' passed April 12, 1849."

"An act to amend an act entitled, 'An act to extend the charter of the firemen of the city of New-York,' passed April 16, 1831."

"An act to authorize the Buffalo gas light company to sell certain lands."

"An act to repeal an act entitled, 'An act to amend an act for the more effectual prevention of fires in the city of New-York, and to amend the acts heretofore passed for that purpose,' passed April 4,

1849, and to amend an act entitled, 'An act for the more effectual prevention of fires in the city of New-York, and to amend the acts heretofore passed for that purpose,' passed March 7, 1847.

Ordered, That the Clerk deliver said bills to the Governor.

The House then at half past two o'clock adjourned.

TUESDAY, MARCH 25, 1851.

The House met pursuant to adjournment.

The House was called to order by Mr. Hewit, who had been named by the Speaker as Speaker pro tempore, under the seventh rule of the House.

The roll being called the following members answered to their names, to wit :

Bishop	Hewit	Lawyer	Robinson	Sherman
H. Harris				

6

A quorum not being present,

On motion of Mr. H. Harris,

The House adjourned until to-morrow morning at ten o'clock.

WEDNESDAY, MARCH 26, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Noble.

The minutes of Friday, the 21st., and of Tuesday, the 25th inst, were read and approved.

Mr. Underwood, from the select committee of nine, reported the following bills as proper to be referred to select committees to report complete, to wit :

"An act to incorporate Utica art association for the promotion of the fine arts," the delegation from Oneida co.

"An act to authorise the election of a supervisor in each ward in the city of Utica," the delegation from Oneida co.

"An act to incorporate the Ulster and Tivoli ferry co," Messrs. Atwood, Stevens and Doyle.

"An act to alter the map or plan of the city of New-York, by extending Washington-st., in said city, from its present termination at Gansevoort-st. to Twelfth-st," Messrs. Greene, G. Clark and Ryan.

Senate bill, "An act to authorise the minister, elders and deacons of the Reformed Protestant Dutch church, of the town of German Flatts, to sell and convey certain lands in said county," Messrs. Wooster, Sickles and Horton.

Senate bill, "An act relative to Freeman's bridge co., in the county of Schenectady," Messrs. Townsend, Bradley and H. Harris.

"An act to amend an act entitled, 'An act to vest certain powers in the freeholders and inhabitants of the village of Cooperstown, in the county of Oswego,' passed June 12, 1812, and the act amendatory of the same," Messrs. Coffin, Stevens and Wright.

"An act to incorporate the Northern New-York live stock insurance company," Messrs. Hewit, Farr and Welden.

"An act to amend the charter of the village of Saratoga Springs," Messrs. J. L. Perry, Rumsey and Stilwell.

"An act to change the names of Louise Handley and Montague Handley, to Louise Handley Hall and Montague Handley Hall," Messrs. G. Clark, Rockwell and Pardee.

"An act to authorise the Durhamville and Wood Creek plank road company to take toll upon their road," Messrs. J. Benedict, Humphrey and Yeomans.

"An act authorising the directors of the Russia and North Gage plank road company to borrow six thousand dollars, and assess the stockholders for the payment of the same," Messrs. J. Benedict, Rouse and Bottum.

"An act to incorporate the Franklinite company, for the exportation and manufacturing of the Franklinite and other ores," Messrs. Campbell, Cady and Varnum.

"An act to amend an act to incorporate the New-York gallery of the Fine Arts, passed May 13, 1845," Messrs. Ward, Macomber and Elderkin.

"An act to amend the act entitled, 'An act to provide for the incorporation of villages,' passed December 7, 1847, so far as relates to the village of Cohoes," Messrs. Wooster, Varnum and E. Perry.

"An act declaring valid the proceedings of the superintendents of the poor of the county of Niagara, and the effect of certain proceedings of the board of supervisors of said county," the delegation from Niagara co.

"An act declaratory of the construction of section fifty-three, of article four, of title three, of chapter one, of part four of the Revised Statutes," Messrs. Ward, Blackstone and L. Harris.

"An act to amend the act entitled, 'An act to organize the State Lunatic Asylum, and more effectually to provide for the care, maintenance and recovery of the insane, passed April 7, 1842," Messrs. Moss, J. Benedict and Chamberlin.

"An act to confirm the title of Anna Mariah Smidt to certain real estate in the county of Erie," Messrs. Moss, Bird and Robinson.

The Senate bill entitled, "An act to authorise the village of Canastota to be a separate road district," Messrs. Hoppin, Graham and French.

"An act for the relief of Henry Tallmage," Messrs. Maurice, Stevens and Wooster.

"An act granting to Philip A. Strong the right of establishing a ferry across the Chautauque lake," the delegation from Chautauque co.

"An act to amend the charter of Westfield village, and to enlarge the powers of the trustees," the delegation from Chautauque co.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act to incorporate the Monticello academy."

Mr. Stratton moved that the House concur in said amendments.

Mr. Speaker put the question whether the House would agree to the Senate's amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 67 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Elderkin	Hatch	Lewis	Sickles
R. Babcock	Farr	Hewit	McLouth	Southwick
J. W. Babcock	Ferris	Hinds	Miles	Stevens
Baker	Feller	Horton	J. L. Perry	Stilwell
J. Benedict	Fisk	Hoppin	Pool	Stratton
Bishop	Fitzhugh	Ingersoll	Robinson	Speaker
Blackstone	Fordyce	Kinsley	Rouse	Townsend
Bradley	French	Kellogg	Rumsey	Ward
Chamberlin	Gleason	Lake	W. F. Russell	Welden
G. Clark	A. A. Gregory	Langdon	Severance	Wheeler
J. F. Clark	W. S. Gregory	Lawyer	Shall	Whiteside
Cooke	Greene	Leggett	Sherman	Wooster
Corser	H. Harris	Lesley	Shultes	Yeomans
Dennison	L. Harris			

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Ordered, That the Clerk return the said bill to the Senate, with a message informing, that the Assembly have concurred in the said amendments, and amended the same accordingly.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows :

"An act to amend the act entitled, 'An act relating to harbor masters of the port of New-York,' passed March 16, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the select committee consisting of the New-York delegation.

"An act in relation to the salary of the agent of the Onondaga Indians," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

"An act to amend the several acts incorporating the village of Binghamton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act to enlarge the powers of the Board of Education of the village of Medina, and to confirm certain acts of school district number twelve therein."

On motion of Mr. Stratton,
The said bill was recommitted to the committee on colleges, academies and common schools.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to provide for building a court house and jail in the town of Addison, in the county of Steuben, and the holding courts in and for said county alternately at Bath and Addison."

Ordered, That said bill be read a third time.

The bill entitled, "An act for the relief of Elihu C. Wright," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Coffin	A. A. Gregory	Lesley	Sickles
R. Babcock	Cooke	W. S. Gregory	Lewis	A. Smith
J. W. Babcock	Congdon	Greene	Miles	Southwick
Baker	Corser	H. Harris	Noble	Stevens
J. Benedict	Davis	L. Harris	J. L. Perry	Stilwell
Blackstone	Dennison	Hatch	Pool	Stratton
Bottum	Elderkin	Hewit	Robinson	Speaker
Bowne	Farr	Hinds	Rockwell	Townsend
Bradley	Ferris	Hoppin	Rouse	Tuthill
Brayton	Feller	Ingersoll	Rowe	Varnum
Briggs	Fisk	Kellogg	Rumsey	Ward
Burroughs	Fitzhugh	Lake	W. F. Russell	Weldon
Bushnell	Fordyce	Langdon	Severance	Wheeler
Campbell	French	Lawyer	Shall	Whiteside
Chamberlin	Gleason	Leggett	Sherman	Wooster
G. Clark	Graham	Le Roy	Shultes	Yeomans
J. F. Clark				

81

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

A message from the Governor was received and read, in the words following, to wit :

EXECUTIVE DEPARTMENT, {
Albany, March 21, 1851. }

To the Assembly :

I have this day approved and signed the following entitled bill :

"An act in relation to the powers and duties of Canal Commissioners and superintendents."

WASHINGTON HUNT.

The bill entitled, "An act to authorise Wm. Beard and others, to construct and build docks &c., in the sixth ward of the city of Brooklyn, and port of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	J. F. Clark	Gleason	Lawyer	A. Smith
R. Babcock	Coffin	Graham	Leggett	Southwick
J. W. Babcock	Cooke	A. A. Gregory	Le Roy	Stevens
Baker	Congdon	W. S. Gregory	Lesley	Stillwell
J. Benedict	Corser	Greene	Miles	Stratton
Bishop	Davis	L. Harris	J. L. Perry	Speaker
Bottum	Dennison	Hatch	Pool	Tuthill
Bowne	Elderkin	Hewit	Rouse	Underwood
Bradley	Farr	Higby	Rowe	Ward
Brayton	Ferris	Hinds	Rumsey	Welden
Briggs	Feller	Hoppin	Severance	Wheeler
Bushnell	Fisk	Kinsley	Shall	Whiteside
Campbell	Fitzhugh	Kellogg	Sherman	Wooster
Chamberlin	Fordyce	Lake	Shultes	Yeomans
G. Clark	French	Langdon	Sickles	

74

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend an act entitled, 'An act in relation to justices' and police courts in the city of New-York,' passed March 30, 1848," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Cooke	Greene	Miles	Southwick
R. Babcock	Congdon	H. Harris	Noble	Stevens
J. W. Babcock	Corser	L. Harris	J. L. Perry	Stillwell
Baker	Davis	Hatch	Pool	Stratton
J. Benedict	Dennison	Higby	Rockwell	Speaker
Blackstone	Douglass	Hinds	Rouse	Townsend
Bottum	Elderkin	Kinsley	Rowe	Tuthill
Bowne	Farr	Kellogg	Rumsey	Underwood
Bradley	Ferris	Lake	W. F. Russell	Varnum
Brayton	Feller	Langdon	Severance	Ward
Bushnell	Fisk	Lawyer	Shall	Welden
Campbell	Fitzhugh	Leggett	Sherman	Wheeler
Chamberlin	Fordyce	Le Roy	Shultes	Whiteside
G. Clark	Graham	Lesley	Sickles	Wooster
J. F. Clark	A. A. Gregory	Lewis	A. Smith	Yeomans
Coffin	W. S. Gregory			

77

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to incorporate the ladies' union aid society of the Methodist Episcopal church in the city of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	J. F. Clark	W. S. Gregory	Lesley	Southwick
R. Babcock	Coffin	Greene	Miles	Stevens
J. W. Babcock	Cooke	H. Harris	Noble	Stewart
Baker	Congdon	L. Harris	Pool	Stilwell
J. Benedict	Corser	Hewit	Robinson	Stratton
Blackstone	Dennison	Higby	Rockwell	Speaker
Bottum	Elderkin	Hinds	Rouse	Townsend
Bowne	Farr	Hoppin	Rowe	Tuthill
Brayton	Ferris	Kinsley	Rumsey	Underwood
Briggs	Feller	Kellogg	W. F. Russell	Ward
Barroughs	Fisk	Lake	Severance	Welden
Bushnell	Fitzhugh	Langdon	Sherman	Wheeler
Campbell	Fordyce	Lawyer	Shultes	Whiteside
Chamberlin	Graham	Leggett	Sickles	Yeomans
G. Clark	A. A. Gregory	Le Roy	A. Smith	74

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to provide for the appraisal and payment of canal damages to Henry Crouse," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 76 }
{ NOES 03 }

Those who voted in the affirmative are,

H. J. Allen	J. F. Clark	W. S. Gregory	Le Roy	Sherman
O. Allen	Coffin	H. Harris	Lesley	Shultes
R. Babcock	Congdon	L. Harris	Lewis	Sickles
J. W. Babcock	Corser	Hatch	Miles	A. Smith
Baker	Dennison	Hewit	Moss	Southwick
J. Benedict	Douglass	Higby	Noble	Stevens
Blackstone	Elderkin	Hinds	J. L. Perry	Stewart
Bottum	Farr	Hoppin	Pool	Stilwell
Bowne	Ferris	Ingersoll	Robinson	Stratton
Bradley	Feller	Kinsley	Rockwell	Speaker
Brayton	Fisk	Kellogg	Rouse	Tuthill
Barroughs	Fordyce	Lake	Rowe	Welden
Bushnell	French	Langdon	Rumsey	Wheeler

Campbell	Graham	Lawyer	Severance	Whiteside
Chamberlin	A. A. Gregory	Leggett	Shall	Wooster
G. Clark				

76

Those who voted in the negative are,

Briggs	W. F. Russell	Varnum
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8

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to authorise the board of supervisors of the several counties in this State, to make the office of district attorney a salary office, and to fix the salary thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ **AYES 71** }
 { **NOES 01** }

Those who voted in the affirmative are,

H. J. Allen	Cooke	A. A. Gregory	Le Roy	Shultes
O. Allen	Congdon	W. S. Gregory	Lesley	Sickles
R. Babcock	Corser	Greene	Miles	A. Smith
J. W. Babcock	Dennison	L. Harris	Moss -	Southwick
Baker	Douglass	Hatch	Noble	Stevens
J. Benedict	Elderkin	Higby	Pool	Stewart
Blackstone	Farr	Hinds	Robinson	Stilwell
Bowne	Feller	Hoppin	Rockwell	Speaker
Bradley	Fisk	Kinsley	Rouse	Townsend
Brayton	Fitzhugh	Kellogg	Rumsey	Underwood
Briggs	French	Lake	W. F. Russell	Ward
Bushnell	Gilbert	Langdon	Severance	Welden
Campbell	Gleason	Lawyer	Shall	Whiteside
J. F. Clark	Graham	Leggett	Sherman	Wooster
Coffin				

71

For the negative,

Ferris

1

Ordered, That the Clerk return the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend article first, title third, chapter seventh, part third of the Revised Statutes, entitled, 'Of taking conditionally the testimony of witnesses within this State,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ **AYES 56** }
 { **NOES 10** }

Those who voted in the affirmative are,

H. J. Allen	Coffin	Fordyce	Lake	Southwick
R. Babcock	Cooke	French	Lawyer	Stevens
J. W. Babcock	Congdon	Graham	Leggett	Stewart
Baker	Corser	A. A. Gregory	Lesley	Stilwell
J. Benedict	Davis	W. S. Gregory	Miles	Speaker
Blackstone	Dennison	Greene	Moss	Townsend
Bowne	Douglass	L. Harris	Pool	Underwood
Bradley	Farr	Hatch	Rockwell	Varnum
Bushnell	Ferris	Hinds	Rouse	Ward
Chamberlin	Feller	Ingersoll	Rowe	Welden
G. Clark	Fisk	Kellogg	Shall	Whiteside
J. F. Clark				

56

Those who voted in the negative are,

Briggs	Gleason	Higby	W. F. Russell	Wooster
Burrongs	H. Harris	Ramsey	Severance	

10

Mr. Briggs moved to reconsider and to lay such motion on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Briggs, and it was determined in the affirmative.

The bill entitled, "An act to amend the act to incorporate the emigrants' industrial savings bank, passed April 10, 1850," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 71 }
{ NOES 05 }

Those who voted in the affirmative are,

H. J. Allen	G. Clark	Fordyce	Langdon	W. F. Russell
O. Allen	J. F. Clark	French	Lawyer	Shall
R. Babcock	Coffin	Gilbert	Leggett	Sherman
J. W. Babcock	Cooke	Graham	Lesley	Shultes
Baker	Congdon	A. A. Gregory	Miles	Sickles
J. Benedict	Corser	W. S. Gregory	Moss	A. Smith
Blackstone	Davis	Greene	Noble	Southwick
Bottum	Dennison	L. Harris	J. L. Parry	Stewart
Bowne	Douglass	Hatch	Pool	Stratton
Bradley	Elderkin	Hinds	Robinson	Speaker
Brayton	Farr	Hoppin	Rockwell	Underwood
Briggs	Ferris	Kinsley	Rouse	Ward
Bushnell	Feller	Kellogg	Rowe	Welden
Campbell	Fisk	Lake	Ramsey	Wooster
Chamberlin				

71

Those who voted in the negative are,

Burrongs	H. Harris	Higby	Le Roy	Severance
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5

Mr. Moss moved to reconsider the vote on the final passage of the aforesaid bill.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Moss, and it was determined in the negative, a majority of all the members elected to the Assembly, not voting in favor thereof, as follows:

{ AYES 34 }
{ NOES 19 }

Those who voted in the affirmative are,

H. J. Allen	Bushnell	Hinds	Le Roy	Stewart
O. Allen	Coffin	Hoppin	Lesley	Stilwell
R. Babcock	Dennison	Kinsley	Moss	Stratton
J. W. Babcock	Farr	Kellogg	Noble	Ward
Bowne	Fisk	Lake	Rockwell	Wooster
Bradley	Gleason	Lawyer	Rowe	Yeomans
Burroughs	Higby	Leggett	Shalter	

34

Those who voted in the negative are,

J. Benedict	Cooke	Gilbert	Pool	Varnum
Blackstone	Congdon	A. A. Gregory	A. Smith	Welden
Brayton	Douglass	W. S. Gregory	Speaker	Whiteside
G. Clark	Elderkin	Greene	Underwood	

19

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend an act entitled, 'An act to provide for the assessment and collection of taxes in the city of Albany,' passed March 23, 1850," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 68 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Coffin	L. Harris	Robinson	Stevens
O. Allen	Congdon	Hatch	Rockwell	Stewart
R. Babcock	Corser	Higby	Rouse	Stilwell
J. W. Babcock	Davis	Hinds	Rowe	Stratton
Baker	Dennison	Hoppin	Rumsey	Speaker
J. Benedict	Farr	Kellogg	W. F. Russell	Tuthill
Blackstone	Ferris	Langdon	Severance	Underwood
Bottum	Fisk	Lawyer	Shall	Varnum
Bowne	Fordyce	Leggett	Sherman	Ward
Brayton	Gleason	Le Roy	Shalter	Welden
Briggs	Graham	Lesley	Sickles	Whiteside
Bushnell	A. A. Gregory	Moss	A. Smith	Wooster
Campbell	Greene	Noble	Southwick	Yeomans
J. F. Clark	H. Harris	Pool		

68

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act providing for the appointment of commissioners to investigate the claims of Hotchkiss and Smith, against

the agent of the Sing Sing prison, and arbitrate and settle all matters of difference between the said agent of the one part, and said Hotchkiss and Smith, and their assignees of the other," having been called for its third reading.

Mr. Burroughs moved that said bill be recommitted.

Mr. Briggs moved that said motion of Mr. Burroughs be laid upon the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Briggs, and it was determined in the affirmative.

The bill entitled, "An act to change the name of the first Presbyterian church of Brittons settlement in Onondaga county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Coffin	Graham	Lesley	Southwick
R. Babcock	Cooke	A. A. Gregory	Moss	Stevens
Baker	Congdon	W. S. Gregory	Noble	Stewart
J. Benedict	Corser	Greene	Pool	Stilwell
Mackstone	Davis	Hatch	Robinson	Stratton
Bottom	Dennison	Higby	Rockwell	Speaker
Bowne	Douglass	Hinds	Rouse	Townsend
Bradley	Elderkin	Hoppin	Rowe	Tuthill
Brayton	Farr	Ingersoll	Rumsey	Underwood
Briggs	Ferris	Kinsley	Severance	Varnum
Burroughs	Feller	Kellogg	Shall	Ward
Bushnell	Fisk	Lake	Sherman	Welden
Campbell	Fordyce	Langdon	Shultes	Whiteside
Chamberlin	French	Lawyer	Sickles	Wooster
G. Clark	Gilbert	Leggett	A. Smith	Yeomans
J. F. Clark	Gleason	Le Roy		

78

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act in relation to highways and roads," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 68 }
{ NOES 01 }

Those who voted in the affirmative are,

R. Babcock	Congdon	H. Harris	Noble	Southwick
Baker	Corser	L. Harris	J. L. Perry	Stevens
J. Benedict	Dennison	Hatch	Pool	Stilwell

Blackstone	Douglass	Hinds	Robinson	Stratton
Bradley	Elderkin	Hoppin	Rockwell	Speaker
Brayton	Farr	Ingersoll	Rouse	Tuthill
Briggs	Ferris	Kellogg	Rowe	Underwood
Burrroughs	Feller	Lake	Rumsey	Varnum
Campbell	Fordyce	Langdon	Severance	Ward
Chamberlin	French	Lawyer	Sherman	Welden
G. Clark	Gleason	Le Roy	Shultes	Whiteside
J. F. Clark	Graham	Lesley	Sickles	Wooster
Coffin	A. A. Gregory	Lewis	A. Smith	Yeomans
Cooke	Greene	Moss		

68

For the negative,

W. F. Russell

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to authorise the inhabitants of the town of Pittsford to raise money by tax to lay out and open a certain road in the county of Monroe," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	J. F. Clark	Graham	Lewis	Stevens
R. Babcock	Coffin	A. A. Gregory	Miles	Stewart
J. W. Babcock	Cooke	Greene	Moss	Stillwell
Baker	Congdon	H. Harris	Noble	Stratton
J. Benedict	Corser	L. Harris	J. L. Perry	Speaker
Blackstone	Davis	Hatch	Pool	O. C. Thompson
Bottum	Dennison	Higby	Rockwell	Townsend
Bowne	Douglass	Hinds	Rouse	Tuthill
Bradley	Elderkin	Hoppin	Rowe	Underwood
Brayton	Farr	Ingersoll	Rumsey	Varnum
Briggs	Ferris	Kellogg	W. F. Russell	Ward
Burrroughs	Feller	Lake	Severance	Welden
Bushnell	Fisk	Langdon	Sherman	Wheeler
Campbell	Fordyce	Leggett	Shultes	Whiteside
Chamberlin	French	Le Roy	A. Smith	Wooster
G. Clark	Gleason	Lesley	Southwick	Yeomans

80

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

A message from the Governor was received and read, in the words following, to wit :

EXECUTIVE DEPARTMENT, }
Albany, March 25, 1851. }

To the Assembly:

I have this day approved and signed the following entitled bills :

"An act to authorise the Buffalo gas light company to sell certain lands."

"An act to amend an act entitled, 'An act to extend the charter of the firemen of the city of New-York,' passed April 16, 1831."

"An act to amend the act entitled, 'An act to incorporate the mutual life insurance company of New-York,' passed April 12, 1842."

"An act in relation to the village of Holey."

"An act to grant the right to George Truscott to hold and convey real estate."

WASHINGTON HUNT.

The bill entitled, "An act for the relief of Thomas J. Strong and George W. Cheney," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	G. Clark	Gleason	Lewis	Stevens
R. Babcock	J. F. Clark	Graham	Miles	Stewart
J. W. Babcock	Coffin	Greene	Moss	Stilwell
Baker	Cooke	H. Harris	Noble	Stratton
J. Benedict	Congdon	L. Harris	J. L. Perry	Speaker
Blackstone	Corser	Hatch	Pool	O. C. Thompson
Bottom	Dennison	Hinds	Rockwall	Townsend
Bowne	Douglass	Hoppin	Rouse	Tuthill
Bradley	Elderkin	Ingersoll	Rowe	Underwood
Brayton	Farr	Kinsley	Rumsey	Varnum
Briggs	Ferris	Kellogg	Soverance	Ward
Burroughs	Feller	Lake	Sherman	Welden
Bushnell	Fisk	Langdon	Shultes	Wheeler
Campbell	Fordyce	Leggett	Sickles	Whiteside
Carrington	French	Le Roy	A. Smith	Wooster
Chamberlin	Gilbert	Lesley	Southwick	Yeomans 80

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to enable Jean Baptiste Ferier, Jean Baptiste Harou, Catharine Marguerite Ferier and Maria Anne Cribelier to take hold and convey real estate," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 69 }
{ NOES 01 }

Those who voted in the affirmative are,

R. Babcock	Chamberlin	Fordyce	Langdon	Southwick
J. W. Babcock	J. F. Clark	French	Leggett	Stevens
Baker	Coffin	Gilbert	Le Roy	Stewart

J. Benedict	Cooke	Graham	Lesley	Stilwell
Blackstone	Congdon	Greene	Lewis	Stratton
Bottom	Corser	H. Harris	Miles	Speaker
Bowne	Dennison	L. Harris	Moss	O. C. Thompson
Bradley	Doyle	Hatch	Noble	Townsend
Brayton	Elderkin	Hinds	Pool	Tuthill
Briggs	Farr	Hoppin	Rouse	Underwood
Burroughs	Ferris	Ingersoll	Rowe	Ward
Bushnell	Feller	Kinsley	Rumsey	Welden
Campbell	Fisk	Kellogg	Severance	Whiteside
Carrington	Fitzhugh	Lake	Sickles	

69

For the negative,

Varnum

1

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to authorise the construction of a draw-bridge across the Freskills in Richmond county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative are,

R. Babcock	Congdon	A. A. Gregory	Lesley	Stevens
J. W. Babcock	Corser	Greene	Lewis	Stewart
Baker	Dennison	H. Harris	Miles	Stilwell
J. Benedict	Douglass	L. Harris	Moss	Stratton
Blackstone	Doyle	Hatch	Noble	Speaker
Bottom	Elderkin	Higby	J. L. Perry	O. C. Thompson
Bowne	Farr	Hinds	Pool	Tuthill
Bradley	Ferris	Hoppin	Rockwell	Underwood
Brayton	Feller	Ingersoll	Rouse	Varnum
Bushnell	Fisk	Kinsley	Rowe	Ward
Campbell	Fordyce	Kellogg	Rumsey	Welden
Chamberlin	French	Langdon	Severance	Whiteside
J. F. Clark	Gilbert	Lawyer	Sherman	Wooster
Coffin	Gleason	Leggett	A. Smith	Yeomans
Cooke	Graham	Le Roy	Southwick	

74

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to authorise the supervisors of the county of Wayne, to levy a tax upon the town of Lyons in said county for the purpose of building a bridge over the Clyde river on the Geneva road," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	J. F. Clark	Greene	Lesley	Stevens
R. Babcock	Coffin	H. Harris	Lewis	Stewart
J. W. Babcock	Cooke	L. Harris	Miles	Stilwell
Baker	Congdon	Hatch	Moss	Stratton
J. Benedict	Corser	Higby	Noble	Speaker
Blackstone	Dennison	Hinds	J. L. Perry	O. C. Thompson
Bottum	Elderkin	Hoppin	Pool	Townsend
Bowne	Farr	Ingersoll	Rockwell	Tuthill
Bradley	Ferris	Kinsley	Rouse	Underwood
Brayton	Feller	Kellogg	Rowe	Varnum
Briggs	Fisk	Lake	Rumsey	Ward
Bushnell	Fordyce	Langdon	W. F. Russell	Welden
Campbell	French	Lawyer	Severance	Whiteside
Carrington	Gilbert	Leggett	Sickles	Wooster
Chamberlin	Graham	Le Roy	Southwick	Yeomans
G. Clark	A. A. Gregory			

77

Ordered, That the Clerk return the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act further to amend an act entitled, 'An act to incorporate the Albany cemetery association,' passed April 20, 1841," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	J. F. Clark	Graham	Leggett	A. Smith
R. Babcock	Coffin	A. A. Gregory	Le Roy	Southwick
J. W. Babcock	Cooke	W. S. Gregory	Lesley	Stevens
Baker	Congdon	Greene	Lewis	Stilwell
J. Benedict	Corser	H. Harris	Miles	Stratton
Blackstone	Dennison	Hatch	Moss	Speaker
Bottum	Douglass	Hewitt	Noble	O. C. Thompson
Bowne	Elderkin	Higby	J. L. Perry	Townsend
Bradley	Farr	Hinds	Pool	Tuthill
Brayton	Ferris	Hoppin	Rockwell	Underwood
Briggs	Feller	Kinsley	Rouse	Ward
Burroughs	Fisk	Kellogg	Rowe	Welden
Bushnell	Fordyce	Lake	Rumsey	Whiteside
Campbell	French	Langdon	W. F. Russell	Wooster
Chamberlin	Gilbert	Lawyer	Sickles	

74

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to incorporate the Watson agricultural institute," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 70 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Chamberlin	Fordyce	Langdon	Sickles
R. Babcock	G. Clark	French	Lawyer	A. Smith
J. W. Babcock	J. F. Clark	Graham	Loggett	Southwick
Baker	Coffin	A. A. Gregory	Le Roy	Stevens
J. Benedict	Cooke	Greene	Lesley	Stilwell
Blackstone	Congdon	H. Harris	Lewis	Stratton
Bottum	Corser	Hatch	Miles	Speaker
Bowne	Dennison	Hewit	Moss	O. C. Thompson
Bradley	Douglass	Higby	J. L. Perry	Townsend
Brayton	Elderkin	Hinds	Pool	Tuthill
Briggs	Farr	Hoppin	Rockwell	Underwood
Bushnell	Ferris	Kinsley	Rouse	Whiteside
Campbell	Feller	Kellogg	Rowe	Wooster
Carrington	Fisk	Lake	Rumsey	Yeomans 70

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to authorise the county clerk of Wayne county to record a certain deed," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 67 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Congdon	H. Harris	Lesley	Stevens
R. Babcock	Corser	L. Harris	Lewis	Stilwell
Baker	Douglass	Hatch	Moss	Stratton
J. Benedict	Elderkin	Hewit	Noble	Speaker
Blackstone	Farr	Higby	Pool	O. C. Thompson
Bradley	Ferris	Hinds	Rockwell	Townsend
Briggs	Feller	Hoppin	Rouse	Underwood
Burroughs	Fisk	Kinsley	Rumsey	Varnum
Bushnell	Fordyce	Lake	W. F. Russell	Ward
Carrington	French	Langdon	Sherman	Welden
G. Clark	Gilbert	Lawyer	Sickles	Whiteside
J. F. Clark	Gleason	Loggett	A. Smith	Wooster
Coffin	Graham	Le Roy	Southwick	Yeomans
Cooke	A. A. Gregory			67

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend the act entitled, 'An act to authorise the abatement of a nuisance on lands owned by the people of the State of New-York, and other land in the city of Syracuse,' passed January 25, 1849," having been called for its third reading.

Mr. Stevens asked and obtained unanimous consent to amend said bill by striking out the word "each," in the third line of the second section, and inserting in lieu thereof the words "either or both;" also,

strike out the word "February," in the eighth line same section, and insert "October," and also strike out the word "two," in the fifth line of said section.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 72 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Cooke	H. Harris	Lewis	Stevens
R. Babcock	Congdon	L. Harris	Miles	Stewart
Baker	Corser	Hatch	Moss	Stilwell
J. Benedict	Dennison	Hewit	Pool	Stratton
Blackstone	Douglass	Higby	Rockwell	Speaker
Bottum	Elderkin	Hinds	Rouse	O. C. Thompson
Bradley	Farr	Hoppin	Rowe	Townsend
Brayton	Ferris	Kinsley	Rumsey	Underwood
Briggs	Feller	Lake	W. F. Russell	Varnum
Bushnell	Fisk	Langdon	Severance	Ward
Carrington	Fordyce	Lawyer	Sherman	Welden
Chamberlin	French	Leggett	Sickles	Whiteside
G. Clark	Gilbert	Le Roy	A. Smith	Wooster
J. F. Clark	Gleason	Lesley	Southwick	Yeomans
Coffin	Graham			

72

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to revive and extend an act authorising John Low and others to erect and maintain a rotating dam across the Susquehanna river in the town of Milford, and county of Otsego," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 68 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Cooke	H. Harris	Miles	Stevens
R. Babcock	Congdon	L. Harris	Moss	Stewart
Baker	Corser	Hatch	Noble	Stilwell
J. Benedict	Dennison	Hewit	Pool	Stratton
Blackstone	Douglass	Higby	Rockwell	Speaker
Bottum	Farr	Hoppin	Rouse	O. C. Thompson
Bradley	Ferris	Kinsley	Rowe	Townsend
Brayton	Feller	Lake	Rumsey	Underwood
Briggs	Fisk	Langdon	Severance	Varnum
Bushnell	Fordyce	Lawyer	Sherman	Ward
Carrington	French	Leggett	Sickles	Whiteside
Chamberlin	Gleason	Le Roy	A. Smith	Wooster
J. F. Clark	Graham	Lesley	Southwick	Yeomans
Coffin	A. A. Gregory	Lewis		

68

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act in relation to mortgages taken by the commissioners for loaning certain monies belonging to the United States," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 46 }
{ NOES 05 }

Those who voted in the affirmative are,

O. Allen	Coffin	A. A. Gregory	Le Roy	Stratton
J. Benedict	Cooke	L. Harris	Miles	Speaker
Blackstone	Congdon	Hatch	Pool	Townsend
Bottum	Corser	Hewit	Rockwell	Underwood
Bowne	Dennison	Kinsley	Rouse	Ward
Bradley	Farr	Lake	Severance	Welden
Brayton	Fisk	Langdon	A. Smith	Whitewide
Briggs	Fordyce	Lawyer	Stevens	Wooster
Carrington	French	Leggett	Stewart	Yeomans
J. F. Clark				46

Those who voted in the negative are,

Burroughs	Douglass	Moss	Rumsey	O. C. Thompson
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The Speaker declared said bill to be lost, whereupon Mr. Varnum moved that the said vote be reconsidered and that said motion lie upon the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Varnum, and it was determined in the affirmative.

The bill entitled, "An act to change the name of William H. Pearse to Henry Winter," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 76 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	G. Clark	Gleason	Le Roy	Sickles
R. Babcock	J. F. Clark	Graham	Lesley	A. Smith
J. W. Babcock	Coffin	A. A. Gregory	Lewis	Stevens
Baker	Cooke	H. Harris	Miles	Stewart
J. Benedict	Congdon	L. Harris	Moss	Stilwell
Blackstone	Corser	Hatch	Noble	Stratton
Bottum	Dennison	Hewit	J. L. Perry	Speaker
Bowne	Elderkin	Higby	Pool	O. C. Thompson
Bradley	Farr	Hinds	Rockwell	Underwood

Brayton	Ferris	Hoppin	Rouse	Varnum
Briggs	Feller	Kinsley	Rowe	Ward
Burrongs	Fisk	Lake	Rumsey	Welden
Bushnell	Fordyce	Langdon	W. F. Russell	Whiteside
Campbell	French	Lawyer	Severance	Wooster
Carrington	Gilbert	Leggett	Shall	Yeomans
Chamberlin				

76

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend an act passed May 3, 1836, entitled, 'An act to incorporate the Albany mutual insurance company,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 71 }
{ NOES 00 }

Those who voted in the affirmative are,

R. Babcock	Corser	H. Harris	Miles	Stevens
J. W. Babcock	Dennison	L. Harris	Moss	Stewart
Baker	Douglass	Hatch	Noble	Stilwell
J. Benedict	Elderkin	Hewit	J. L. Perry	Stratton
Bottum	Farr	Higby	Pool	Speaker
Bradley	Ferris	Hinds	Rockwell	O. C. Thompson
Brayton	Feller	Hoppin	Rouse	Townsend
Briggs	Fisk	Kinsley	Rumsey	Underwood
Bushnell	Fordyce	Kellogg	W. F. Russell	Varnum
Carrington	French	Lake	Severance	Ward
G. Clark	Gilbert	Lawyer	Shall	Welden
J. F. Clark	Gleason	Leggett	Sickles	Whiteside
Coffin	Graham	Le Roy	A. Smith	Wooster
Cooke	A. A. Gregory	Lewis	Southwick	Yeomans
Congdon				

71

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act authorising certain railroad companies in this State to change the time for the election of directors," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 66 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Congdon	A. A. Gregory	Lewis	Stewart
R. Babcock	Corser	H. Harris	Miles	Stilwell
J. W. Babcock	Dennison	L. Harris	Moss	Stratton
Baker	Douglass	Hewit	Noble	Speaker
J. Benedict	Elderkin	Higby	J. L. Perry	O. C. Thompson

Bradley	Farr	Hinds	Pool	Townsend
Brayton	Ferris	Hoppin	Rockwell	Underwood
Briggs	Fisk	Kinsley	Rouse	Varnum
Bushnell	Fordyce	Kellogg	Rumsey	Ward
Carrington	French	Lake	W. F. Russell	Welden
Chamberlin	Gilbert	Langdon	Severance	Whiteside
J. F. Clark	Gleason	Leggett	A. Smith	Wooster
Coffin	Graham	Le Roy	Southwick	Yeomans
Cooke				68

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to authorise the commissioners of highways of the town of Schroon to borrow money," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Coffin	A. A. Gregory	Miles	Stevens
R. Babcock	Cooke	H. Harris	Moss	Stewart
J. W. Babcock	Congdon	L. Harris	Noble	Stilwell
Baker	Corser	Hewit	J. L. Perry	Speaker
J. Benedict	Dennison	Higby	Pool	O. C. Thompson
Bottum	Douglass	Hinds	Rockwell	Townsend
Bowne	Elderkin	Hoppin	Rouse	Tuthill
Bradley	Farr	Kinsley	Rowe	Underwood
Brayton	Ferris	Kellogg	Rumsey	Varnum
Briggs	Fisk	Lake	W. F. Russell	Ward
Bushnell	Fordyce	Langdon	Severance	Welden
Carrington	French	Lawyer	Shall	Whiteside
Chamberlin	Gilbert	Leggett	Sickles	Wooster
G. Clark	Gleason	Le Roy	A. Smith	Yeomans
J. F. Clark	Graham	Lewis	Southwick	74

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to renew the charter of the State road from the Orange turnpike to Nyack in the county of Rockland, as passed on the 20th day of April 1830," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 68 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Corser	H. Harris	Moss	A. Smith
R. Babcock	Dennison	L. Harris	Noble	Southwick
J. Benedict	Douglass	Hewit	J. L. Perry	Stevens

Bottum	Elderkin	Higby	Pool	Stilwell
Bowne	Farr	Hinds	Rockwell	Stratton
Brayton	Ferris	Hoppin	Rouse	Speaker
Briggs	Fisk	Kinsley	Rowe	Tuthill
Bushnell	Fordyce	Kellogg	Rumsey	Underwood
Carrington	French	Langdon	W. F. Russell	Varnum
G. Clark	Gilbert	Lawyer	Severance	Ward
J. F. Clark	Gleason	Leggett	Shall	Welden
Coffin	Graham	Le Roy	Shultes	Wooster
Cooke	A. A. Gregory	Lewis	Sickles	Yeomans
Congdon	Greene	Miles		

68

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The engrossed bill entitled, "An act to confirm the official acts of Torry J. Luce, a justice of the peace of the town of Hartwick, in the county of Otsego," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 73 }
{ NOES 00 }

6

Those who voted in the affirmative are,

O. Allen	Deanison	Hatch	Miles	A. Smith
R. Babcock	Douglase	Hewit	Moas	Southwick
J. W. Babcock	Elderkin	Higby	Noble	Stevens
Baker	Farr	Hinds	J. L. Perry	Stilwell
Barnes	Ferris	Hoppin	Pool	Stratton
J. Benedict	Feller	Humphrey	Rockwell	Speaker
Bowne	Fisk	Ingersoll	Rouse	Townsend
Brayton	Fordyce	Kinsley	Rowe	Tuthill
Briggs	French	Kellogg	Rumsey	Underwood
Bushnell	Gleason	Lake	W. F. Russell	Varnum
Carrington	Graham	Langdon	Severance	Ward
G. Clark	A. A. Gregory	Lawyer	Shall	Welden
J. F. Clark	Greene	Leggett	Shultes	Wooster
Coffin	H. Harris	Le Roy	Sickles	Yeomans
Cooke	L. Harris	Lewis		

73

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend an act entitled, 'An act to incorporate the village of Franklin, in the county of Delaware,' passed May, 12, 1836, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 73 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	J. F. Clark	A. A. Gregory	Lewis	Sickles
R. Babcock	Coffin	Greene	Miles	A. Smith

J. W. Babcock	Cooke	L. Harris	Moss	Southwick
Baker	Congdon	Hatch	Noble	Stevens
J. Benedict	Corser	Hewit	J. L. Perry	Stilwell
Blackstone	Douglass	Hinds	Pool	Stratton
Bottom	Elderkin	Hoppin	Rockwell	Speaker
Bowne	Farr	Ingersoll	Rouse	Townsend
Bradley	Ferris	Kinsley	Rowe	Underwood
Brayton	Fisk	Kellogg	Rumsey	Varnum
Briggs	Fordyce	Langdon	W. F. Russell	Ward
Bushnell	French	Lawyer	Severance	Welden
Carrington	Gilbert	Leggett	Shall	Wooster
Chamberlin	Gleason	Le Roy	Shultes	Yeomans
G. Clark	Graham	Lesley		

73

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend an act to incorporate the village of Canton, passed May 13, 1845," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Coffin	Greene	Lesley	A. Smith
R. Babcock	Cooke	H. Harris	Lewis	Southwick
J. W. Babcock	Corser	L. Harris	Miles	Stevens
Baker	Douglass	Hatch	Moss	Stilwell
J. Benedict	Elderkin	Hewit	Noble	Stratton
Bottom	Farr	Higby	J. L. Perry	Speaker
Bowne	Ferris	Hinds	Pool	O. C. Thompson
Bradley	Feller	Hoppin	Rockwell	Tutbill
Brayton	Fisk	Ingersoll	Rouse	Underwood
Briggs	Fordyce	Kinsley	Rowe	Varnum
Bushnell	French	Kellogg	Rumsey	Ward
Carrington	Gilbert	Langdon	W. F. Russell	Welden
Chamberlin	Gleason	Lawyer	Severance	Wooster
G. Clark	Graham	Leggett	Shall	Yeomans
J. F. Clark	A. A. Gregory	Le Roy	Shultes	

74

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act authorising the Brooklyn and Jamaica plank road company to increase their capital stock," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 76 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Corser	H. Harris	Lesley	Southwick
R. Babcock	Dennison	L. Harris	Lewis	Stevens

J. W. Babcock	Douglass	Hatch	Miles	Stillwell
Baker	Elderkin	Howit	Moss	Stratton
J. Benedict	Farr	Higby	Noble	Speaker
Bottum	Ferris	Hinds	J. L. Perry	O. C. Thompson
Bowne	Feller	Hoppin	Pool	Townsend
Bradley	Fisk	Ingersoll	Rockwell	Tuthill
Brayton	Fordyce	Kinsley	Rouse	Underwood
Briggs	French	Kellogg	Rowe	Varnum
Carrington	Gilbert	Lake	Rumsey	Ward
Chamberlin	Gleason	Langdon	Severance	Welden
G. Clark	Graham	Lawyer	Shall	Whiteside
J. F. Clark	A. A. Gregory	Leggett	Shultes	Wooster
Coffin	Greene	Le Roy	A. Smith	Yeomans
Cooke				

76

Ordered, That the Clerk return the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to authorise the county judge of Queens county to sign the certificate of the proof of certain wills recorded in the Surrogate's office of that county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Cooke	Greene	Leggett	Southwick
R. Babcock	Congdon	H. Harris	Le Roy	Stevens
J. W. Babcock	Corser	L. Harris	Lesley	Stratton
Baker	Dennison	Hatch	Miles	Speaker
J. Benedict	Douglass	Hewit	Moss	O. C. Thompson
Bottum	Elderkin	Higby	Noble	Townsend
Bowne	Farr	Hinds	Pool	Tuthill
Bradley	Ferris	Horton	Rockwell	Underwood
Brayton	Feller	Hoppin	Rouse	Varnum
Briggs	Fisk	Ingersoll	Rowe	Ward
Bushnell	Fordyce	Kinsley	Rumsey	Welden
Carrington	Gilbert	Kellogg	Severance	Whiteside
G. Clark	Gleason	Lake	Shultes	Wooster
J. F. Clark	Graham	Langdon	Sickles	Yeomans
Coffin	A. A. Gregory	Lawyer	A. Smith	

74

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to abolish the office of recorder of the city of Rochester," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 72 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Coffin	A. A. Gregory	Lawyer	Shultes
R. Babcock	Cooke	Greene	Leggett	Sickles
J. W. Babcock	Congdon	H. Harris	Le Roy	A. Smith
Baker	Corser	L. Harris	Lesley	Southwick
J. Benedict	Dennison	Hatch	Lewis	Stillwell
Bottum	Douglass	Hewit	Miles	Stratton
Bowne	Elderkin	Higby	Moss	Speaker
Bradley	Farr	Hinds	Noble	O. C. Thompson
Brayton	Ferris	Hoppin	Pool	Townsend
Briggs	Feller	Ingersoll	Rockwell	Tuthill
Bushnell	Fisk	Kinsley	Rouse	Varnum
Carrington	Fordyce	Kellogg	Rowe	Ward
Chamberlin	French	Lake	Rumsey	Whiteside
G. Clark	Gilbert	Langdon	W. F. Russell	Yeomans
J. F. Clark	Graham			

72

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

On motion of Mr. Tuthill,

The House, at fifteen minutes before two o'clock, adjourned.

THURSDAY, MARCH 27, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Morrow,

The minutes of yesterday were read and approved.

Mr. Gleason presented three petitions of sundry citizens of Livingston, Allegany and Steuben counties, for a law making an appropriation to procure testimony in the suits brought by the State to test the titles of the Putney and Hornby estates, which were read and referred to the committee of the whole.

Mr. J. Benedict presented four petitions of sundry inhabitants of Oneida co., Mr. Rouse two petitions of inhabitants of the same county for surveys &c., preparatory to the construction of a national railroad, which were read and referred to the select committee.

Mr. Miles presented the petition of sundry citizens of Cameron, Steuben co., praying the passage of an act making Addison a half shire town of said co., Mr. Higby five remonstrances against the same, which were read and laid on the table.

Mr. Fordyce presented eight petitions of 433 inhabitants of Monroe co., for an amendment of the charter of the city of Rochester, in relation to the sale of fresh meat, which were read and referred to the committee on the incorporation of cities and villages.

Mr. Ferris presented the resolutions of the second Baptist church and society of Ulysses in the nature of a petition for a change in the corporate name of said society, which was read and referred to the committee on charitable and religious societies.

Mr. Gleason presented the petition of 39 citizens of Meredith, Delaware co., for an act requiring the fencing of all public highways,

which was read and referred to the committee on the internal affairs of towns and counties.

Mr. J. Benedict presented the petition of inhabitants of Oneida co., for a law to impose tolls on the several railroads of this State, which was read and referred to the committee on railroads.

Mr. J. W. Babcock presented the petition of citizens of Niagara co., to prevent persons from being removed from this State except by due process of law, which was read and referred to the committee on the judiciary.

Mr. J. Benedict presented the petition of inhabitants of Chenango co., for relief in relation to plank roads, which was read and referred to the committee on roads and bridges.

Mr. Greene presented the petition of the officers of infantry of the militia of the city and county of New-York and Richmond, for restoration to command, which was read and referred to the committee on militia and public defence.

Mr. Wooster presented the petition of citizens of Herkimer co., for a law for the relief of indigent children, which was read and referred to the committee on charitable and religious societies.

The petition of James S. Lebby and others, for a grant of land under water at Prince's Bay, Richmond county, was read and referred to the committee on commerce and navigation.

Mr. Maurice presented the petition of Thomas F. Youngs and 32 others, citizens of Oyster Bay, Queens co., for the incorporation of the Hicksville and Cold Spring branch railroad co., which was read and referred to the committee on railroads.

Mr. Lesley presented the petition of 743 citizens of Troy, for aid to the Troy hospital, which was read and referred to the committee on ways and means.

Mr. Noble presented the petition of 44 citizens of Essex and Warren co's, for a law making Minerva creek and Trout brook in said counties a public highway, which was read and referred to the select committee consisting of the Warren and Essex county delegations.

Mr. Hinds presented the petition of 75 inhabitants of Broome co., for a grant to build a free bridge across the Onondaga river, above its junction with the Otselic at Whitney point, which was read and referred to the select committee consisting of the Broome and Onondaga co. delegations.

Mr. Cady presented the resolutions of the common council of the city of Brooklyn, in relation to certain lands in the 11th ward thereof, which was read and referred to the select committee consisting of the Kings county delegation.

Mr. O. Allen presented two petitions of a large number of citizens of Buffalo and Black Rock, for an act authorising the construction of a suspension bridge across the Niagara river at Black Rock, which were read and referred to the committee on roads and bridges.

Mr. Pardee presented the petition of the trustees of Canandaigua, to pass the bill to lay out a highway in said village, which was read and referred to the committee of the whole.

Mr. Le Roy presented the petition of 200 citizens of Oneida co., praying that the dam at Phoenix may be reduced to its original height, which was read and referred to the committee on canals.

Mr. Baker presented the petition of inhabitants of Kings co., for an act relative to the courts in said county, which was read and referred to the committee on the judiciary.

Mr. Hatch presented the resolutions in the nature of a remonstrance of the common council of the city of Oswego, in relation to the Sodus Canal, which was read and laid on the table.

Mr. A. A. Gregory presented the petition of citizens of the village of Waverly, in Cattaraugus co., for the incorporation of a society to be called the Waverly free meeting house society, which was read and referred to the committee on the judiciary.

Mr. A. Smith presented the petition of citizens of Irving, for a law to remove a bridge over Cattaraugus creek, which was read and referred to a select committee consisting of the Erie and Chautauque co. delegations.

Mr. Pardee presented the petition of inhabitants of Ontario county, praying the passage of the act known as the freeman's law, which was read and referred to the committee on the judiciary.

Mr. Bird presented the petition of citizens of Black Rock, praying that the ferries at that place across the Niagara river may be leased for the benefit of the schools in that place, which was read referred to the committee on the internal affairs of towns and counties.

Mr. Bird presented the petition of citizens of Erie and Chautauque counties, in relation to the removal of a bridge crossing the Cattaraugus creek at Irving, which was read and referred to a select committee consisting of the Erie and Chautauque co. delegations.

Mr. Tuttle presented the memorial of C. I. Conklin and 26 others, officers and privates in the 16th regiment of the N. Y. State militia, in the county of Suffolk, protesting against the repeal of the present militia system, which was read and referred to the committee of the whole.

Mr. H. Harris presented the petition of the trustees of the first Congregational society in Albany, for a modification of the law in relation to religious societies, which was read and referred to the committee on charitable and religious societies.

Mr. Douglass presented the remonstrance of citizens of Fredonia, Chautauque co., against compelling country banks to redeem in New-York at a less discount than at present, which was read and referred to the committee on banks and insurance companies.

Mr. Lyon presented the petition of citizens of Lewis co., for the annual appropriation to Geneva college, which was read and referred to the committee on colleges, academies and common schools.

Mr. Graham presented the petition of inhabitants of Tompkins co., Mr. W. F. Russell the petition of inhabitants of Ulster co., Mr. Birds the petition of inhabitants of Broome co., Mr. Sickles the petition of inhabitants of Rockland co., Mr. Rumsey the petition of inhabitants of Orange co., Mr. Ingersoll the petition of inhabitants of

Chenango co., for the repeal or modification of the free school law, which were read and referred to the committee of the whole.

Mr. O. Allen presented the petition of citizens of Erie co., Mr. Bushnell the petition of citizens of Jefferson co., Mr. Fordyce the petition of citizens of Chautauque co., Mr. Tathill the petition of citizens of Suffolk co., Mr. Whiteside the petition of citizens of Washington co., for the suppression or modification of the liquor traffic, which were read and referred to the committee of the whole.

Mr. Benedict presented seven petitions of inhabitants of Schenectady, Montgomery and Oneida co., Mr. Burroughs four petitions of citizens of New-York, Orleans and Wayne counties, Mr. Brayton five petitions of inhabitants of Oneida and Lewis counties, Mr. O. Allen three petitions of inhabitants of Erie and Lewis counties, Mr. Le Roy the petition of inhabitants of Onondaga co., Mr. Stevens two petitions of inhabitants of Onondaga co., Mr. Lealey the petition of inhabitants of Rensselaer co., Mr. Sherman the petition of inhabitants of Dutchess co., Mr. Moss the petition of inhabitants of Niagara co., Mr. Sevenssee the petition of inhabitants of Erie co., Mr. Feller the petition of inhabitants of Dutchess co., Mr. Colvin the petition of inhabitants of Cayuga co., Mr. Corser two petitions of inhabitants of Monroe co., Mr. French the petition of inhabitants of Madison co., Mr. H. Harris the petition of inhabitants of Albany co., for the passage of the bill for the speedy enlargement of the Erie canal, reported by the committee on canals, which was read and referred to the committee of the whole.

By unanimous consent,

Mr. Wheeler asked and obtained leave to bring in a bill entitled, "An act authorising the Northern railroad co. to increase its capital stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

In pursuance of previous notice, Mr. Hatch asked for and obtained leave to introduce a bill entitled, "An act to confirm the official acts of Reuben Drake, a justice of the peace," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Hatch asked and obtained leave to bring in a bill entitled, "An act to amend the Revised Statutes in relation to the proceedings of county canvassers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Stevens offered for the consideration of the House, a resolution, in the words following, to wit:

Resolved, That Assembly bill No. 321, entitled, "An act in relation to the Onondaga salt springs," also No. 231, entitled, "An act for the relief of the bail of Cornelius M. Brown, late treasurer of the county of Onondaga," be taken from the committee of the whole and referred to a select committee with power to report complete.

Debate being had thereon,
Ordered, That said resolution be laid upon the table.

Mr. Burroughs, from the committee on colleges, academies and common schools, to which was referred the amendments of the Senate to the bill entitled, "An act to enlarge the powers of the Board of Education of the village of Medina, and to confirm certain acts of school district No. 12 therein," reported that they had made an amendment to the amendment of the Senate, and recommended concurrence in the amendments of the Senate.

Mr. Speaker put the question whether the House would agree to the Senate's amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 82 }
 { NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	J. F. Clark	Heath	Macomber	A. Smith
R. Babcock	Colvin	Higby	Miles	Snell
J. W. Babcock	Corser	Hinds	Moss	Southwick
Backhouse	Douglas	Horton	Pardee	Stevens
Baker	Elderkin	Hoppin	E. Perry	Stilwell
J. Benedict	Farr	Ingersoll	Pool	Swords
Bird	Ferris	Jayne	Rockwell	Speaker
Bishop	Feller	Kinsley	Rouse	O. C. Thompson
Bottum	Fisk	Kellogg	Rowe	Townsend
Bowne	French	Langdon	Rumsey	Underwood
Bradley	Gilbert	Lawyer	W. F. Russell	Wakeman
Brayton	Gleason	Leggett	Ryan	Weldon
Briggs	Graham	Le Roy	Severance	Wheeler
Burroughs	A. A. Gregory	Lesley	Sherman	Whiteside
Cady	W. S. Gregory	Lyon	Shultes	Wooster
Chamberlin	L. Harris	McLouth	Sickles	Wright
G. Clark	Hatch			

82

Ordered, That the Clerk return the said bill to the Senate, with a message informing, that the Assembly have concurred in the said amendments with an amendment.

Mr. Burroughs, from the select committee, to which was referred the bill entitled, "An act in relation to the superintendent and overseers of the poor in and for the county of Orleans," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Lyon, from the committee on public lands, to which was referred the papers in relation to Washington's Head Quarters, reported and asked and obtained leave to bring in a bill entitled, "An act to amend an act entitled, 'An act for the preservation of Washington's Head Quarters,' passed April 10, 1850," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Ward, from the committee on charitable and religious societies, to which was referred the petition of the trustees of the Syracuse Odd Fellows Hall association, for an act of incorporation, reported for the consideration of the House the bill entitled, "An act for the incorporation of Odd Fellows associations," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of Julius F. H. Miller, for the passage of an act authorizing him to change his name to Julius F. Huleman, reported the following resolution:

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Townsend, from the committee on the judiciary, to which was referred the Senate bill entitled, "An act to release the interest of the State in certain real estate of which John Whittingham died seized to Lydia Whittingham, his widow," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the Senate bill entitled, "An act to amend an act entitled, 'An act concerning the district attorney in the county of Ulster, passed May 14, 1843,'" reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act in relation to sales by sheriffs and other officers, and in relation to actions against them," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of the supervisors and citizens of Monroe co. in relation to certain criminal suits, reported the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

Ordered, That said resolution be laid upon the table.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows, to wit:

"An act to change the name of Louisa Handley and Montague Handley to Louisa Handley Hall and Montague Handley Hall."

"An act in relation to certain controversies respecting the Tonawanda Indian reservation."

“An act to legalize the acts of the several school districts of this State, providing for the support of common schools.”

Ordered, That said bills be read the third time.

Mr. Townsend, from the committee on the judiciary, to which was referred the remonstrances of 12 citizens of the town of Springwater, against allowing the trustees of the Putney and Hornby lands to perpetuate testimony, reported the following resolution :

Resolved, That the committee be discharged and that it be referred to the committee of the whole.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, “An act to amend an act to establish a court of special sessions in and for the city of Albany,” reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Townsend, from the committee on the judiciary, to which was referred the memorials of Cornelius Dubein, Samuel J. Hunt, Mathew G. Ely and William Tilden, in relation to acts granting lands under water at Williamsburgh and Bushwick, reported the following resolution :

Resolved, That the committee be discharged from the further consideration of the petitions.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Severance, from the committee on claims, to which was referred the petition of Henry Shindy, for relief, reported the following resolution :

Resolved, That the prayer of the petitioner ought not to be granted.

Ordered, That said resolution be laid upon the table.

Mr. Severance, from the committee on claims, to which was referred the petition of Lewis Ransom, for relief, reported the following resolution :

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Severance, from the committee on claims, to which was referred the petition of Theodore D. Barton, for relief, reported the following resolution :

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Severance, from the committee on claims, to which was referred the petition of Thomas Goodsell, for relief, reported, and asked and obtained leave to bring in a bill entitled, “An act for the relief of Thomas Goodsell,” which was read the first time, and by unani-

unanimous consent was also read the second time, and committed to the committee of the whole.

In pursuance of previous notice.

Mr. Townsend offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the fourth rule be suspended so far as relates to Assembly bill 300, and the bill for the relief of Bethel Judd, and that the same be hereby referred to a select committee to report complete.

Debate being had thereon,

Ordered, That the said resolution be laid upon the table.

Mr. W. F. Russell moved to take from the table the resolution heretofore offered by him in the words following, to wit:

Resolved, That the committee appointed to take testimony in the case of the contested seat from Yates county, be instructed to report forthwith.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. W. F. Russell, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Moss, from the committee on the judiciary, to which was referred the petition of Thomas W. Dixon, for relief, reported, and asked and obtained leave to bring in a bill entitled, "An act for the relief of Thomas W. Dixon," which was read the first time and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Backhouse, from the committee on grievances, to which was referred the petition of Samuel and John Giles of Ithaca, Tompkins co., for relief, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the commissioners of the land office to release certain lands to Samuel and John Giles," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Wakeman, from the committee on commerce and navigation, to which was referred the petition of sundry inhabitants of Warren co., for an appropriation for the purpose of building a bridge, reported, and asked and obtained leave to bring in a bill entitled, "An act making an appropriation for building a bridge across the west branch of the Hudson river, in the county of Warren," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Wakeman, from the committee on commerce and navigation, to which was referred the petition of Henry R. Purdy for leave to establish a ferry, reported, and asked and obtained leave to bring in a bill entitled, "An act authorising Henry R. Purdy to establish a ferry across the Hudson river, from Cold Spring landing in Phillipstown, in the county of Putnam, to the west shore thereof in the county of Orange," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Elderkin moved to take from the table the report of the majority of the committee on printing in relation to printing the reports of the majority and minority of the committee on canal frauds.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the negative.

Mr. Briggs, from the select committee, to which was referred the petition of the president and trustees of the village of Piermont, for an amendment of their charter, reported, and asked and obtained leave to bring in a bill entitled, "An act to amend the charter of the village of Piermont, in the county of Rockland," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Moss, from the select committee, to which was referred the Senate bill entitled, "An act to amend the act entitled, 'An act concerning passengers arriving at the ports of entry and landings in this State,' passed Dec. 10, 1847," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Moss, from the select committee, to which was referred the bill entitled, "An act declaring valid the proceedings of the superintendents of the poor of the county of Niagara, and the effect of certain proceedings of the board of supervisors of said county," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Moss, from the select committee, to which was referred the bill entitled, "An act to confirm the title of Anna Maria Smilt to certain real estate in the county of Erie," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Moss, from the select committee, to which was referred the bill entitled, "An act to amend the act entitled, 'An act to organize the State Lunatic Asylum, and more effectually to provide for the care, maintenance and recovery of the insane,'" to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment.

Ordered, That said bill be engrossed for a third reading.

Mr. Cooke, from the select committee, to which was referred the bill entitled, "An act to authorise the Commissioners of the Land Office to adjust certain claims to a piece of land belonging to the State in the town of Wolcott by rule or otherwise," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. J. Benedict, from the select committee, to which was referred the bill entitled, "An act to authorise the election of a supervisor in each ward in the city of Utica," to report complete, reported that the

committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. J. Benedict, from the select committee, to which was referred the bill entitled, "An act to incorporate the Utica art association for the promotion of the fine arts," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

Mr. J. Benedict, from the select committee, to which was referred the bill entitled, "An act to authorise the Durhamville and Wood-creek plank road company to take toll upon their road," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. J. Benedict, from the select committee, to which was referred the bill entitled, "An act authorising the directors of the Russia and North Gage plank road company to borrow six thousand dollars and assess the stockholders for the payment of the same," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

Mr. G. Clark, from the select committee, to which was referred the bill entitled, "An act to change the names of Louisa Handley and Montague Handley to Louisa Handley Hall and Montague Handley Hall," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

Mr. J. Benedict, from the select committee, to which was referred the bill entitled, "An act authorising and requiring the board of supervisors of the county of Oneida to levy a tax on the inhabitants of the city of Utica and town of Deerfield to pay for reconstructing Miller's bridge across the Mohawk river," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. J. Benedict, and by unanimous consent,
The said bill was then read a third time.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	J. F. Clark	Graham	Lesley	A. Smith
Atwood	Colvin	W. S. Gregory	McLouth	Snell
R. Babcock	Cooke	Greene	Macomber	Southwick
J. W. Babcock	Congdon	H. Harris	Maurice	Stevens
Banks	Crozier	L. Harris	Miles	Stewart

Baker	Dennison	Hatch	Moss	Stilwell
J. Benedict	Douglass	Heath	Noble	Stratton
T. H. Benedict	Doyle	Hewit	Pardee	Swords
Bird	Elderkin	Higby	E. Perry	Speaker
Blackstone	Farr	Hinds	J. L. Perry	A. A. Thompson
Bottum	Ferris	Hoppin	Pool	O. C. Thompson
Bowne	Feller	Ingersoll	Rockwell	Townsend
Bradley	Fisk	Jayne	Rouse	Tuthill
Brayton	Fitzhugh	Kellogg	Rowe	Underwood
Briggs	Fordyce	Langdon	W. F. Russell	Ward
Bushnell	French	Lawyer	Severance	Wooster
Carrington	Gilbert	Leggett	Sherman	Wright
Chamberlin	Gleason	Le Roy	Shultes	Yeomans

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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Ward, from the select committee, to which was referred the bill entitled, "An act declaratory of the construction of section fifty-three, of article four, of title three, of chapter one, of part four of the Revised Statutes," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Ward, from the select committee, to which was referred the bill entitled, "An act to amend an act to incorporate the New-York gallery of the Fine Arts, passed May 13, 1846," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Rowe, from the select committee, to which was referred the bill entitled, "An act appointing commissioners to lay out a public highway in the towns of Westmoreland, Vernon and Verona in the county of Oneida," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Rouse, from the select committee, to which was referred the bill entitled, "An act in relation to plank roads and turnpike roads," to report complete, reported that the committee had gone through said bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. O. Allen, from the select committee, to which was referred the bill entitled, "An act to incorporate the Western savings bank of Buffalo," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

Mr. Ferris, from the select committee, to which was referred the bill entitled, "An act to amend the several acts incorporating the village of Owego in the county of Tioga," to report complete, reported that the committee had gone through said bill, and agreed to the same with amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Ferris, from the select committee, to which was referred the bill entitled, "An act to provide for removing obstructions from the outlet of Cayuga lake and lowering said lake," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Ferris, from the select committee, to which was referred the several petitions for a law library at some point on the line of the New-York and Erie railroad, reported, and asked and obtained leave to bring in a bill entitled, "An act to provide for a law library for the counties on the line of the Erie railroad," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. J. L. Perry, from the select committee, to which was referred the bill entitled, "An act to amend the charter of the village of Saratoga Springs," to report complete, reported that the committee had gone through said bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Atwood, from the select committee, to which was referred the bill entitled, "An act to incorporate the Ulster and Tivoli ferry company," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Townsend, from the select committee, to which was referred the Senate bill entitled, "An act to authorise a release of the amount due upon a decree against Henry Talmadge," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

Mr. Maurice, from the select committee, to which was referred the Senate bill entitled, "An act relative to Freeman's bridge company in the county of Schenectady," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be read a third time.

Mr. Rowe, from the select committee, to which was referred the petition of trustees of consolidated school district No. 2, in Batavia, for the passage of an act to authorise them to levy a tax, reported, and asked and obtained leave to bring in a bill entitled, "An act to enable the trustees of consolidated school district No. 2 in Batavia, to levy a tax for the support of a school therein," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Greene, from the select committee, to which was referred the bill entitled, "An act to alter the map or plan of the city of New-York, by extending Washington street in said city from its present termination at Gansevoort street to Twelfth street," to report com-

plete, reported that the committee had gone through said bill and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Stevens, from the select committee, to which was referred the bill entitled, "An act to amend the act entitled, 'An act to vest certain powers in the Freeholders and inhabitants of the village of Cooperstown, in the county of Otsego,'" to report complete, reported that the committee had gone through said bill and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. E. Perry, from the select committee, to which was referred the bill entitled, "An act to amend the act entitled, 'An act to provide for the incorporation of villages,' passed December 7, 1847, so far as relates to the village of Cohoes," to report complete, reported that the committee had gone through said bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Hewit, from the select committee, to which was referred the bill entitled, "An act to incorporate the Northern New-York live stock insurance company," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Graham, from the committee on public printing, to which was referred the resolution heretofore offered in relation to printing the report of the select committee on the subject of capital punishment, reported the following resolution:

Resolved, That five times the usual number of the report of the select committee on the subject of capital punishment, be printed for the use of the Legislature.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. Kellogg,

Resolved, That Assembly bill No. 264, (printed No.) making appropriations to certain academies, be referred to the same committee of the whole having in charge the school bills.

Mr. Wooster, from the select committee, to which was referred the Senate bill entitled, "An act to authorise the ministers, elders and deacons of the Reformed Dutch church of the town of German Flatts, to sell and convey certain lands in said county," to report complete, reported that the committee had examined said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. H. Harris moved to take from the table the report of the select committee on the bill entitled, "An act to amend the act to combine into one act the several acts relating to the city of Albany, passed April 12, 1842, and the several acts amendatory thereof."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. H. Harris, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the report of the said committee, and it was determined in the affirmative.

Ordered, That said bill be engrossed for a third reading.

Mr. Hoppin, from the select committee, to which was referred the Senate bill entitled, "An act to authorise the village of Canastota to be a separate road district," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be read the third time.

In pursuance of previous notice, and by unanimous consent, Mr. L. Harris moved to suspend the fourth rule so far as relates to the bill relative to the militia.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. L. Harris, and it was determined in the affirmative.

On motion of Mr. L. Harris,

Resolved, That the bills on file relating to the militia of this State, be referred to a select committee of nine, said committee to consist of the standing committee on militia and public defence, and four others to be appointed by the Speaker with power to report complete.

Mr. Hatch moved to suspend the fourth rule so far as relates to bill No. 302.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Hatch, and it was determined in the affirmative.

On motion of Mr. Hatch.

Resolved, That bill No. 302 be referred to a select committee consisting of the delegations from Onondaga and Oswego counties to report complete.

Mr. O. Allen moved that the bill relating to the enlargement of the Erie, Genesee and Black river canals, be made the special order for to morrow at 12 o'clock.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the affirmative.

By unanimous consent,

Mr. Sherman presented the memorial of M. Vasser and others, inhabitants of Dutchess co., in favor of the speedy enlargement of the Erie and other canals, was read and referred to the committee of the whole.

Mr. Macomber, offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That five times the usual number of the report of the Secretary of State of the criminal statistics of this State, be printed for the use of the legislature, and 250 copies for the Secretary of State.

Ordered, That the said resolution be referred to the committee on printing.

Mr. Wakeman gave notice that he would, at an early day ask leave to suspend the fourth rule of the House so far as relates to bill No

366, in relation to the State Arsenal in the city of New-York, and bill No. 477 in relation to the general society of mechanics and tradesmen in the city of New-York.

In pursuance of previous notice, Mr. H. J. Allen moved to suspend the 59th rule so far as relates to private claims.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. H. J. Allen, and it was determined in the affirmative.

On motion of Mr. H. J. Allen,

Resolved, That Saturday the 29th inst. be set apart for the consideration of private claims, immediately after the reading of the journal.

Mr. Rowe gave notice that he would, at an early day, ask leave to introduce a bill making an appropriation for the education of the children of the Tonawanda Indians in the county of Genesee.

In pursuance of previous notice, and on motion of Mr. Rowe,

Resolved, That the 4th rule of the House be suspended, so as to allow the bill in relation to a school district in Batavia to be referred to a select committee to report complete.

On motion of Mr. Tuthill,

Resolved, That Assembly bill, general orders No. 418, printed No. 417, entitled, "An act to give to the New-York medical college power to found and maintain a hospital connected with said college," and also that Assembly bill, general orders No. 379, printed No. 395, entitled, "An act making an appropriation for the support in part of certain hospitals," be referred to the first committee of the whole in session.

Mr. Cooke gave notice that he would move a suspension of the 4th rule of this House, in order to refer to a select committee Assembly bill 491, entitled, "An act to authorise the opening, regulating, paving and otherwise improving avenue in the village of Williamsburgh and city of Brooklyn."

On motion of Mr. Stevens, and by unanimous consent,

Resolved, That Assembly bill 321, in relation to the Onondaga salt springs, be taken from the committee of the whole and referred to a select committee with power to report complete.

By unanimous consent,

Mr. Ward called for the consideration of the resolution heretofore offered by him, in the words following, to wit :

Resolved, That the bill to incorporate the Broadway savings bank be referred to a select committee to report complete.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. T. H. Benedict, and by unanimous consent,

Resolved, That the several school bills be made the special order for this afternoon at 4 o'clock, and Monday 31st inst. immediately after the reading of the journal.

In pursuance of previous notice, and by unanimous consent,

On motion of Mr. Feller,

Resolved, That the bill to incorporate the Dutchess county savings bank, be referred to a select committee with power to report complete.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bill entitled as follows :

"An act to authorise the owners of land fronting on Gowanus bay to build docks, wharves, bulkheads, piers and basins in front of their lands, in said bay in the city of Brooklyn and port of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

The bill entitled, "An act to provide for building a court house and jail in the county of Steuben, and the holding court in and for said county alternately at Bath and Addison," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 66 }
{ NOES 19 }

Those who voted in the affirmative are,

H. J. Allen	Corsar	Greene	Lyon	Sherman
O. Allen	Dennison	H. Harris	McLenth	Shultes
Anthon	Dewey	L. Harris	Macomber	A. Smith
J. W. Babcock	Dougherty	Heath	Miles	Southwick
Baker	Douglase	Hewit	Moss	Swords
J. Benedict	Feller	Hinds	J. L. Perry	Speaker
T. H. Benedict	Fisk	Horton	Pool	Tuthill
Bowne	Fordyce	Hoppin	Rockwell	Underwood
Bradley	French	Ingersoll	Rouse	Varnum
Brayton	Gleason	Kinsley	Rowe	Wakeman
Chamberlin	Graham	Langdon	W. Russell	Ward
G. Clark	A. A. Gregory	Lawyer	Ryan	Welden
J. F. Clark	W. S. Gregory	Leggett	Severance	Yeomans
Cooke				

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Those who voted in the negative are,

Atwood	Colvin	Hatch	Le Roy	Stratton
R. Babcock	Congdon	Higby	Rumsey	O. C. Thompson
Bushnell	Doyle	Jayne	Stewart	Whiteside
Carrington	Fitzhugh	Kellogg	Stilwell	

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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The Senate bill entitled, "An act to amend an act entitled, 'An act incorporating the Sackett's Harbor and Saratoga railroad co.," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 92 }
{ NOES 08 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	French	Le Roy	Sickles
O. Allen	G. Clark	Gilbert	Lealey	A. Smith
Anthon	J. F. Clark	Graham	Lyon	Snell
Atwood	Colvin	A. A. Gregory	McLouth	Southwick
R. Babcock	Cooke	Greene	Maurice	Stevens
J. W. Babcock	Congdon	H. Harris	Miles	Stewart
Backhouse	Corser	L. Harris	Moss	Stillwell
Baker	Dennison	Hatch	Noble	Swords
J. Benedict	Dewey	Hewit	Pardee	Speaker
Bird	Dougherty	Higby	E. Perry	Tuthill
Blackstone	Douglass	Hinds	J. L. Perry	Underwood
Bottum	Doyle	Hoppin	Pool	Varnum
Bowne	Elderkin	Ingersoll	Rockwell	Wakeman
Bradley	Farr	Jayne	Rouse	Ward
Brayton	Ferris	Kinsley	Rowe	Welden
Briggs	Feller	Kellogg	W. Russell	Whiteside
Bushnell	Fisk	Lawyer	Ryan	Wooster
Cady	Fitzhugh	Leggett	Sherman	Yeomans
Carrington	Fordyce			

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Those who voted in the negative are,

Gleason	Heath	Macomber	Stratton	O. C. Thompson
W. S. Gregory	Langdon	Rumsey		

Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have passed the same without amendment.

Mr. Speaker announced the appointment of Mr. John Gardnier as first assistant doorkeeper pro tempore, in place of Mr. Parks, absent from illness.

Also, as the select committee on the bill to reduce the fare on railroads : Messrs. Macomber, Minier, Heath, Severance and Yeomans.

Also, as the select committee of nine having charge of the militia bills, with power to report complete : the committee on militia and public defence, Messrs. Elderkin, Moss, Greene and Anthon.

Mr. Briggs moved that the resolution to recommit the bill for the relief of Hotchkiss and Smith be taken from the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Briggs, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

Mr. Burroughs offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the bill be referred to the judiciary committee with instructions to insert the names of Joshua A. Spencer, Isaac R. Elwood and Nathan Dayton as referees.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting

in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 81 }
{ NOES 04 }

Those who voted in the affirmative are,

O. Allen	G. Clark	H. Harris	Maurice	Snell
Anthon	J. F. Clark	L. Harris	Miles	Southwick
Atwood	Colvin	Hatch	Moss	Stevens
R. Babcock	Cooke	Heath	Noble	Sulwell
Backhouse	Corser	Hinds	Pardee	Swords
Baker	Dewey	Horton	E. Perry	Speaker
J. Benedict	Dougherty	Jayne	J. L. Perry	O. C. Thompson
T. H. Benedict	Douglass	Kinsley	Pool	Townsend
Bird	Doyle	Kellogg	Rockwell	Tuthill
Bishop	Farr	Langdon	Rouse	Underwood
Blackstone	Ferris	Lawyer	Rumsey	Varnum
Bottum	Feller	Leggett	W. Russell	Wakeman
Bradley	Fitzhugh	Le Roy	W. F. Russell	Welden
Brayton	Gilbert	Lesley	Severance	Wheeler
Briggs	Gleason	Macomber	Sherman	Whiteside
Carrington	Graham	McLouth	A. Smith	Yeomans
Chamberlin				

Those who voted in the negative are,

Bowne	Burroughs	Fordyce	Stratton	4
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Ordered, That the Clerk return the said bill to the Senate, and request their concurrence in the same.

Mr. Speaker announced the following select committee on the bill to incorporate the Broadway savings institution with power to report complete : Messrs. Ward, Horton and Cady.

The bill entitled, "An act to revive and amend the several acts to incorporate and increase the capital stock of the Sodus canal co.," coming up for a third reading,

Burroughs moved to recommit the same to the committee of the whole.

After some debate Mr. Underwood moved for the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put ?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

Mr. Burroughs moved to recommit to the committee on canals with instructions to strike out the first section.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

Mr. Le Roy moved to recommit with instructions to strike out of

sec. 10 of the act of 1829 the words, "To sell or lease the surplus waters of said canal not required for the commodious navigation thereof, for such purposes as they shall deem expedient."

Mr. Townsend called for the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Townsend, and it was determined in the negative.

Mr. Elderkin moved to recommit with instructions to submit said bill to the Attorney General for his opinion as to its constitutionality.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the negative.

Pending consideration, the hour of 15 minutes to two o'clock having arrived, Mr. Townsend moved that the usual recess be postponed for 15 minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Townsend, and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and the vote was as follows :

{ AYES 73 }
{ NOES 18 }

Those who voted in the affirmative are,

Antho	Carrington	Greene	Moss	Southwick
Atwood	Chamberlin	Heath	Noble	Stratton
R. Babcock	G. Clark	Hewit	Pardee	Swords
J. W. Babcock	Colvin	Higby	J. L. Perry	Speaker
Baker	Cooke	Hinds	Pool	O. C. Thompson
J. Benedict	Congdon	Jayne	Rouse	Townsend
T. H. Benedict	Dewey	Kinsley	Rowe	Tuthill
Bird	Douglass	Kellogg	Rumsey	Underwood
Bottum	Farr	Langdon	W. Russell	Wakeman
Bowne	Ferris	Leggett	Severance	Welden
Bradley	Feller	Lesley	Sherman	Whiteside
Brayton	Fisk	McLouth	Sickles	Wooster
Briggs	Gleason	Macomber	A. Smith	Wright
Bushnell	Graham	Maurice	Snell	Yeomans
Cady	A. A. Gregory	Miles		

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Those who voted in the negative are,

Blackstone	Elderkin	Lawyer	W. F. Russell	Stilwell
Barroughs	Fordyce	Le Roy	Stevens	Varnum
J. F. Clark	Hatch	E. Perry	Stewart	Ward
Dennison	Heppin	Rockwell		

18

Mr. A. A. Thompson was excused from voting.

A question having arisen as to whether said bill was a two third bill or not, Mr. Speaker reserved his decision until to morrow.

The bill entitled, "An act to change the name of Louisa Handley and Montague Handley to Louisa Handley Hall and Montague Handley Hall," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are,

Anthos	J. F. Clark	Hatch	Pardee	Stilwell
Atwood	Colvin	Heath	Pool	Stratton
R. Babcock	Cooke	Hewit	Rockwell	Swords
J. W. Babcock	Congdon	Hinds	Rouse	Speaker
J. Benedict	Dewey	Hoppin	Rowe	A. A. Thompson
T. H. Benedict	Douglass	Kinsley	Rumsey	O. C. Thompson
Bird	Doyle	Kellogg	Ryan	Townsend
Blackstone	Farr	Langdon	Severance	Tnhill
Bottum	Ferris	Lawyer	Sherman	Underwood
Bowne	Felter	Leggett	Shulston	Varnum
Bradley	Gilbert	Lesley	Sickles	Wakeman
Brayton	Gleeson	McLouth	A. Smith	Welden
Briggs	Graham	Macomber	Snell	Whiteside
Bushnell	A. A. Gregory	Miles	Southwick	Wooster
Carrington	Greene	Moss	Stevens	Wright
Chamberlin	H. Harris	Noble	Stewart	Yeomans
G. Clark	L. Harris			

82

Ordered, That the Clerk return the said bill to the Senate, and request their concurrence in the same.

The House then took a recess until 4 o'clock.

FOUR O'CLOCK P. M.

The House again met.

The bill entitled, "An act in relation to certain controversies respecting the Tonawanda Indian reservation," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 72 }
{ NOES 01 }

Those who voted in the affirmative are,

Anthos	Chamberlin	L. Harris	Pardee	Swords
Atwood	J. F. Clark	Hatch	E. Perry	Speaker
R. Babcock	Coffin	Hewit	Pool	A. A. Thompson

J. W. Babcock	Colvin	Higby	Rouse	O. C. Thompson
Baker	Corser	Hoppin	Rowe	Townsend
J. Benedict	Douglass	Jayne	Rumsey	Tuthill
T. H. Benedict	Elderkin	Kinsley	W. Russell	Underwood
Blackstone	Farr	Kellogg	Ryan	Varnum
Bottum	Ferris	Langdon	Severance	Ward
Bowne	Feller	Leggett	Sherman	Welden
Bradley	Fordyce	Lesley	Sickles	Wheeler
Brayton	Gleason	Miles	Stevens	Wooster
Briggs	A. A. Gregory	Moss	Stewart	Wright
Burroughs	Greene	Noble	Stratton	Yeomans
Bushnell	H. Harris			

72

For the negative,

O. Allen

1

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The Senate bill entitled, "An act to authorise the village of Canastota to be a separate road district," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Chamberlin	L. Harris	Noble	Stewart
Anthon	G. Clark	Hatch	Pardee	Stilwell
Atwood	J. F. Clark	Hewit	E. Perry	Stratton
R. Babcock	Coffin	Higby	Pool	Swords
J. W. Babcock	Corser	Hinds	Rouse	Speaker
Baker	Doyle	Hoppin	Rowe	A. A. Thompson
J. Benedict	Farr	Jayne	Rumsey	O. C. Thompson
T. H. Benedict	Ferris	Kinsley	W. Russell	Townsend
Bird	Feller	Kellogg	W. F. Russell	Tuthill
Blackstone	French	Langdon	Ryan	Underwood
Bottum	Gilbert	Le Roy	Severance	Welden
Bowne	Gleason	Lesley	Sherman	Wheeler
Bradley	Graham	McLouth	Sickles	Wooster
Brayton	A. A. Gregory	Maurice	A. Smith	Wright
Briggs	Greene	Miles	Snell	Yeomans
Bushnell	H. Harris	Moss	Stevens	

79

Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have passed the same without amendment.

The bill entitled, "An act to provide for the collection of unpaid fees and perquisites for official services rendered by county judges and surrogates, which accrued upon or after the first Monday in July 1847, and prior to the second day of April 1849." was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative.

active, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	G. Clark	H. Harris	Pardee	Stewart
Anthon	J. F. Clark	L. Harris	E. Perry	Stilwell
Atwood	Coffin	Hatch	Pool	Stratton
R. Babcock	Corser	Hewit	Rockwell	Swords
J. W. Babcock	Dougherty	Higby	Rouse	Speaker
Baker	Douglass	Hoppin	Rowe	O. C. Thompson
J. Benediot	Doyle	Jayne	Rumsey	Townsend
Bird	Elderkin	Kinsley	W. Russell	Tuthill
Blackstone	Farr	Kellogg	Severance	Underwood
Bottum	Ferris	Langdon	Sherman	Ward
Bowne	Feller	Leggett	Sickles	Welden
Bradley	French	Le Roy	A. Smith	Wheeler
Brayton	Gleason	Lesley	Snell	Wooster
Briggs	Graham	Maurice	Southwick	Wright
Bushnell	A. A. Gregory	Moss	Stevens	Yeomans
Chamberlin	Greene	Noble		

78

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Townsend moved to take from the table the motion to reconsider the vote on the final passage of the bill entitled, "An act to amend article first, title third, chapter seventh, part third of the Revised Statutes entitled, 'Of taking conditionally the testimony of witnesses within this State.'"

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Townsend, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said motion to reconsider, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 69 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Cady	L. Harris	Pardee	Stilwell
O. Allen	Chamberlin	Hewit	Pool	Swords
Anthon	G. Clark	Higby	Rockwell	Speaker
R. Babcock	J. F. Clark	Hinds	Rouse	A. A. Thompson
Baker	Coffin	Hoppin	Rowe	Townsend
J. Benediot	Corser	Kinsley	W. Russell	Tuthill
Bird	Doyle	Kellogg	Ryan	Varnum
Blackstone	Farr	Langdon	Severance	Wakeman
Bottum	Ferris	Lawyer	Sherman	Ward
Bowne	Feller	Leggett	Sickles	Wheeler
Bradley	French	Lesley	A. Smith	Wooster
Brayton	Gleason	Miles	Southwick	Wright
Briggs	A. A. Gregory	Moss	Stevens	Yeomans
Bushnell	Greene	Noble	Stewart	

69

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 70 }
{ NOES 01 }

Those who voted in the affirmative are,

H. J. Allen	Coffin	Hoppin	Pool	Speaker
O. Allen	Corser	Jayne	Russe	A. A. Thompson
Anthon	Dewey	Kinsley	Rowe	O. C. Thompson
R. Babcock	Doyle	Kellogg	W. Russell	Townsend
J. W. Babcock	Farr	Langdon	Ryan	Tuthill
Baker	Ferris	Lawyer	Severance	Underwood
J. Benedict	Feller	Leggett	Sherman	Varnum
Bird	A. A. Gregory	Le Roy	Sickles	Wakeman
Bottum	W. S. Gregory	Lesley	A. Smith	Ward
Bowne	Greene	Maurice	Southwick	Welden
Bradley	Hatch	Miles	Stevens	Wheeler
Briggs	Hewit	Moss	Stewart	Wooster
Bushnell	Hinds	Pardee	Stilwell	Wright
J. F. Clark	Horton	E. Perry	Swords	Yeomans 70

For the negative,

Gleason

1

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act for the relief of Abijah Fitch, Thomas M. Hunt and Henry H. Cooley, assignees of Horace Hotchkiss and William A. Smith," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 65 }
{ NOES 16 }

Those who voted in the affirmative are,

H. J. Allen	Cady	French	Lesley	Southwick
O. Allen	Chamberlin	Gleason	Maurice	Stevens
R. Babcock	G. Clark	W. S. Gregory	Miles	Stewart
Backhouse	J. F. Clark	Greene	Moss	Speaker
Baker	Coffin	H. Harris	Pardee	A. A. Thompson
J. Benedict	Colvin	L. Harris	E. Perry	Townsend
Bird	Corser	Hatch	Pool	Tuthill
Blackstone	Dewey	Hewit	Reckwell	Underwood
Bottam	Douglas	Hinds	Russe	Varnum
Bowne	Farr	Kellogg	Rowe	Wakeman
Bradley	Ferris	Langdon	Severance	Wooster
Brayton	Feller	Lawyer	Sherman	Wright
Bushnell	Fordyce	Leggett	A. Smith	Yeomans 65

Those who voted in the negative are,

Antho	Dougherty	Jayne	Noble	Stillwell
J. W. Babcock	A. A. Gregory	Kinsley	W. Russell	Stratton
T. H. Benedict	Higby	Macomber	Ryan	O. C. Thompson
Burroughs				16

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to legalize the acts of the several school districts of this State, providing for the support of common schools," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 73 }
{ NOES 03 }

Those who voted in the affirmative are,

H. J. Allen	Bushnell	French	Miles	Stevens
O. Allen	Cady	Gilbert	Noble	Stewart
Antho	Carrington	Gleason	Pardee	Stillwell
R. Babcock	Chamberlin	A. A. Gregory	E. Perry	Stratton
J. W. Babcock	G. Clark	Hatch	Rouse	Swords
Backhouse	J. F. Clark	Hewit	Rowe	Speaker
Baker	Colvin	Higby	Rumsey	O. C. Thompson
J. Benedict	Corser	Hinds	Ryan	Tuthill
T. H. Benedict	Dewey	Hoppin	Severance	Varnum
Bird	Dougherty	Kinsley	Sherman	Wakeman
Blackstone	Doyle	Kellogg	Shultes	Ward
Bottum	Farr	Langdon	A. Smith	Whiteside
Bowne	Ferris	Lawyer	Saell	Wright
Bradley	Feller	Le Roy	Southwick	Yeomans
Brayton	Fordyce	Lesley		

73

Those who voted in the negative are,

Jayne	Maurice	Wheeler
-------	---------	---------

3

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to incorporate the Yonkers ferry company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 76 }
{ NOES 01 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	Hatch	Pool	Stratton
O. Allen	G. Clark	Hewit	Rockwell	Swords
Antho	J. F. Clark	Hinds	Rouse	Speaker
R. Babcock	Calvin	Hoppin	Rumsey	A. A. Thompson

J. W. Babcock	Corser	Jayne	W. Russell	O. C. Thompson
Backhouse	Dougherty	Kellogg	Ryan	Tuthill
Baker	Doyle	Langdon	Severance	Varnum
J. Benedict	Farr	Lawyer	Sherman	Wakeman
T. H. Benedict	Ferris	Lesley	Shultes	Ward
Bird	Feller	McLouth	Sickles	Welden
Blackstone	Fordyce	Macomber	A. Smith	Wheeler
Bottum	French	Maurice	Southwick	Whiteside
Bradley	A. A. Gregory	Miles	Stevens	Wooster
Brayton	W. S. Gregory	Moss	Stewart	Wright
Cady	H. Harris	Pardee	Stillwell	Yeomans
Carrington				

76

For the negative,

Kinsley

1

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend section twenty-fourth of article third, title first, part second, of the Revised Statutes, relating to the discharge of insolvent debtors," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 44 }
{ NOES 20 }

Those who voted in the affirmative are,

Anthoa	J. F. Clark	L. Harris	Noble	Swords
R. Babcock	Coffin	Hewit	Pardee	Speaker
J. Benedict	Colvin	Jayne	Rowe	A. A. Thompson
Bottum	Corser	Kellogg	Rumsey	Townsend
Bradley	Dewey	Langdon	Sherman	Tuthill
Brayton	Ferris	Lawyer	A. Smith	Wooster
Barronghs	Feller	Le Roy	Snell	Wright
Bushnell	A. A. Gregory	Lesley	Southwick	Yeomans
Cady	H. Harris	Miles	Stevens	

44

Those who voted in the negative are,

H. J. Allen	Elderkin	Hatch	E. Perry	Stewart
Backhouse	Gleason	Leggett	Rockwell	Stratton
Bird	W. S. Gregory	Macomber	W. Russell	O. C. Thompson
Bowne	Greene	Moss	Sickles	Varnum

20

Mr. Varnum moved that the vote on the final passage of this bill be reconsidered, and that this motion lie on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Varnum, and it was determined in the affirmative.

The Senate bill entitled, "An act to amend the act entitled, 'An act to authorise the business of banking,' passed May 26, 1841," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative,

a majority of all the members elected to the Assembly, not voting in favor thereof, as follows:

{ AYES 62 }
{ NOES 17 }

Those who voted in the affirmative are,

H. J. Allen	Corser	Hewit	Pardee	Stevens
O. Allen	Douglass	Horton	E. Perry	Swords
Baker	Elderkin	Hoppin	Rockwell	Speaker
J. Benedict	Farr	Kellogg	Rouse	A. A. Thompson
W. H. Benedict	Ferris	Langdon	Rumsey	O. C. Thompson
Bird	Feller	Lawyer	Ryan	Townsend
Blackstone	Fordyce	Leggett	Severance	Tuthill
Bradley	Gleason	Le Roy	Sherman	Varnum
Brayton	W. S. Gregory	Lesley	Sickles	Wakeman
Chamberlin	Greene	Macomber	A. Smith	Welden
G. Clark	H. Harris	Moss	Snell	Wright
J. F. Clark	L. Harris	Noble	Southwick	Yeomans
Colvin	Hatch			

62

Those who voted in the negative are,

Anthon	Dewey	Kinsley	W. Russell	Stratton
Backhouse	Dougherty	Pool	Stewart	Underwood
Bowne	Higby	Rowe	Stilwell	Wooster
Burroughs	Jayne			

17

Mr. Underwood moved that the vote taken on this bill be reconsidered.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Underwood, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 81 }
{ NOES 01 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	Greene	Miles	Southwick
O. Allen	G. Clark	H. Harris	Moss	Stevens
Anthon	J. F. Clark	Hatch	Noble	Stilwell
R. Babcock	Colvin	Hewit	Pardee	Stratton
J. W. Babcock	Corser	Higby	E. Perry	Swords
Backhouse	Dewey	Hinds	Rockwell	Speaker
Baker	Dougherty	Horton	Rouse	A. A. Thompson
J. Benedict	Elderkin	Hoppin	Rowe	O. C. Thompson
Bird	Farr	Jayne	Rumsey	Tuthill
Blackstone	Ferris	Kellogg	W. Russell	Underwood
Bottum	Feller	Langdon	Ryan	Varnum
Bradley	Fordyce	Leggett	Severance	Wakeman
Brayton	French	Le Roy	Shultes	Welden
Burroughs	Gilbert	Lesley	Sickles	Whiteside
Bushnell	Gleason	McLouth	A. Smith	Wright
Cady	A. A. Gregory	Macomber	Snell	Yeomans
Carrington				

81

For the negative,

Bowne,

1

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	J. F. Clark	Hatch	Pardee	Stilwell
Anthon	Colvin	Hewit	E. Perry	Stratton
R. Babcock	Dougherty	Hinds	Rockwell	Swords
J. W. Babcock	Douglass	Horton	Rouse	Speaker
Backhouse	Elderkin	Hoppin	Rowe	A. A. Thompson
Baker	Farr	Jayne	Rumsey	O. C. Thompson
J. Benedict	Ferris	Kellogg	W. Russell	Townsend
Bird	Feller	Langdon	Ryan	Tuthill
Blackstone	Fordyce	Leggett	Sherman	Underwood
Bottum	French	Le Roy	Shultes	Varnum
Bradley	Gilbert	Lesley	Sickles	Wakeman
Brayton	Gleason	Macomber	A. Smith	Ward
Burroughs	A. A. Gregory	Maurice	Snell	Welden
Bushnell	W. S. Gregory	Miles	Southwick	Whiteside
Carrington	Greene	Moss	Stevens	Wright
Chamberlin	H. Harris	Noble	Stewart	Yeomans
G. Clark	L. Harris			

82

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend an act passed April 26, 1831, to incorporate the village of Plattsburgh," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Carrington	W. S. Gregory	Miles	Stevens
O. Allen	Chamberlin	H. Harris	Moss	Stewart
Anthon	G. Clark	L. Harris	Noble	Stilwell
R. Babcock	J. F. Clark	Hatch	Pardee	Stratton
J. W. Babcock	Coffin	Hewit	E. Perry	Swords
Backhouse	Colvin	Hinds	Pool	Speaker
Baker	Corser	Horton	Rockwell	A. A. Thompson
J. Benedict	Dennison	Hoppin	Rouse	O. C. Thompson
T. H. Benedict	Dougherty	Kinsley	Rumsey	Underwood
Bird	Doyle	Kellogg	Ryan	Wakeman
Blackstone	Elderkin	Langdon	Severance	Ward
Bottum	Farr	Lawyer	Sherman	Welden
Bowne	Feller	Le Roy	Shultes	Wheeler
Bradley	Fordyce	Lesley	Sickles	Wooster
Brayton	French	Macomber	A. Smith	Wright
Briggs	Gilbert	Maurice	Southwick	Yeomans
Bushnell	A. A. Gregory			

83

Ordered, That the Clerk return the said bill to the Senate, and request their concurrence in the same.

The Senate bill entitled, "An act to incorporate the Frankfort water works company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	Gleason	Moss	Stilwell
O. Allen	G. Clark	A. A. Gregory	Noble	Stratton
Anthon	J. F. Clark	Greene	Pardee	Swords
J. W. Babcock	Coffin	L. Harris	E. Perry	Speaker
Backhouse	Corser	Hewitt	Pool	A. A. Thompson
Baker	Dennison	Higby	Rockwell	O. C. Thompson
J. Benedict	Dewey	Hinds	Rouse	Tuthill
Bird	Douglass	Horton	Rumsey	Underwood
Blackstone	Doyle	Hoppin	Ryan	Varnum
Bottum	Elderkin	Kinsley	Shorman	Wakeman
Bowne	Farr	Kellogg	Shultes	Welden
Bradley	Feller	Langdon	Sickles	Wheeler
Brayton	Fisk	Le Roy	A. Smith	Wooster
Bushnell	Fordyce	Lesley	Southwick	Wright
Cady	French	McLouth	Stevens	Yeomans
Carrington	Gilbert	Miles	Stewart	

79

Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have passed the same without amendment.

Mr. Speaker announced the following select committee on the bill entitled, "An act to amend an act in relation to the assessment and collection of taxes in the city of New-York, and the several acts amendatory thereto, with power to report complete : Messrs. Greene, Le Roy and Varnum.

And also the select committee on sundry petitions for surveys of a route for a National railroad : Messrs. J. Benedict, Horton, Varnum, Sickles and Rouse.

The bill entitled, "An act in relation to the indictment and place of trial of nuisances," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Cady	A. A. Gregory	Noble	Stilwell
O. Allen	G. Clark	Greene	Pardee	Stratton
Anthon	J. F. Clark	L. Harris	E. Perry	Swords

R. Babcock	Coffin	Hewit	Pool	Speaker
J. W. Babcock	Congdon	Higby	Rockwell	A. A. Thompson
Baker	Dennison	Hinds	Rouse	O. C. Thompson
J. Benedict	Dewey	Hoppin	Rumsey	Tuthill
T. H. Benedict	Dougherty	Kinsley	Ryan	Underwood
Bird	Douglass	Kellogg	Sherman	Varnum
Blackstone	Doyle	Langdon	Shultes	Ward
Bottum	Elderkin	Leggett	Sickles	Welden
Bowne	Farr	Lesley	A. Smith	Wheeler
Bradley	Feller	McLouth	Southwick	Wooster
Brayton	Fordyce	Maurice	Stevens	Wright
Briggs	French	Miles	Stewart	Yeomans
Bushnell	Gilbert	Moss		

78

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act authorising Thomas J. Jacobs to change his name," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 81 }
{ NOES 01 }

Those who voted in the affirmative are,

H. J. Allen	Bushnell	Gleason	Maurice	Stewart
O. Allen	Carrington	A. A. Gregory	Miles	Stilwell
Anthon	G. Clark	Greepe	Mose	Stratton
R. Babcock	J. F. Clark	L. Harris	Noble	Swords
J. W. Babcock	Coffin	Hatch	Pardee	Speaker
Backhouse	Congdon	Hewit	Pool	A. A. Thompson
Baker	Corser	Higby	Rockwell	O. C. Thompson
J. Benedict	Dennison	Hinds	Rouse	Tuthill
T. H. Benedict	Douglass	Hoppin	Rumsey	Underwood
Bird	Doyle	Kinsley	Ryan	Varnum
Blackstone	Elderkin	Kellogg	Sherman	Ward
Bottum	Farr	Langdon	Shultes	Welden
Bowne	Feller	Leggett	Sickles	Wheeler
Bradley	Fordyce	Le Roy	A. Smith	Wooster
Brayton	French	Lesley	Southwick	Wright
Briggs	Gilbert	McLouth	Stevens	Yeomans
Burrongs				

81

For the negative,

Townsend

1

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Moss moved to reconsider the vote taken on the final passage of this bill.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Moss, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

{ AYES 17 }
{ NOES 51 }

Those who voted in the affirmative are,

Anthon	Congdon	Le Roy	Rowe	Swords
R. Babcock	French	McLouth	Stilwell	A. A. Thompson
J. W. Babcock	L. Harris	Moss	Stratton	Townsend
Bradley	Leggett			

17

Those who voted in the negative are,

H. J. Allen	Colvin	Higby	Pool	Speaker
Baker	Corser	Hinds	Rockwell	O. C. Thompson
J. Benedict	Dennison	Horton	Rumsey	Tuthill
Blackstone	Dougherty	Hoppin	Severance	Varrum
Bowne	Douglass	Jayne	Sherman	Welden
Brayton	Doyle	Kellogg	Sickles	Wheeler
Briggs	Elderkin	Langdon	A. Smith	Whiteside
Bushnell	Farr	Macomber	Southwick	Wooster
Cady	Feller	Maurice	Stevens	Wright
J. F. Clark	Hewit	Pardee	Stewart	Yeomans
Coffin				

51

The bill entitled, "An act for the relief of the fireman's benevolent association of Buffalo," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	J. F. Clark	L. Harris	Moss	Stevens
O. Allen	Coffin	Hatch	Noble	Stewart
Anthon	Colvin	Hewit	Pardee	Stilwell
R. Babcock	Congdon	Hinds	E. Perry	Stratton
J. W. Babcock	Corser	Hoppin	Pool	Swords
Backhouse	Dennison	Jayne	Rockwell	Speaker
Baker	Douglass	Kellogg	Rouse	A. A. Thompson
J. Benedict	Doyle	Langdon	Rowe	O. C. Thompson
Bird	Elderkin	Lawyer	Rumsey	Townsend
Blackstone	Farr	Leggett	Severance	Tuthill
Bottom	Ferris	Le Roy	Sherman	Underwood
Bowne	Fordyce	Lesley	Shultes	Varnum
Bradley	Gilbert	McLouth	Sickles	Wheeler
Brayton	Gleason	Macomber	A. Smith	Whiteside
Carrington	A. A. Gregory	Maurice	Snell	Wright
G. Clark	Greene	Miles	Southwick	Yeomans

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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

Mr. Speaker then announced the special order.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to establish free schools throughout the State."

"An act to provide for the support of common schools."

Senate bill entitled, "An act to authorise railroad corporations of this State to subscribe to the capital stock of the Great Western railroad, Canada West."

"An act for the relief of the legal representatives of Maria Miller."

"An act making appropriations to certain academies for the year 1850."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Southwick, from said committee, reported that the committee had gone through the first mentioned bill, and agreed to the same with amendments.

Mr. Pardee moved to lay the report of the committee on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Pardee, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the report of the said committee, and it was determined in the affirmative.

Ordered, That the said bill be engrossed for a third reading.

Mr. Southwick, from said committee, reported progress on said last mentioned bills and asked and obtained leave to sit again.

Mr. Tuthill gave notice that he would, to morrow or some other early day, move to suspend the fourth Assembly rule, so far as the same interferes with the reference of the Assembly bills No. 379 and 418, general orders, to select committees to report complete.

Mr. Elderkin gave notice that he would ask this House to suspend the fourth rule of this House, for the purpose of moving that bill No. 250 to authorise the Northern railroad company to take stock in branch to Potsdam, also bill No. 232, to provide for laying out a road from Colton to Long Lake, also bill No. 96 making an appropriation to discharge a mortgage the State holds against St. Lawrence academy, and to increase the number of trustees, be referred to select committees to report complete.

On motion of Mr. Atwood,
The House then at nine o'clock adjourned.

FRIDAY, MARCH 28, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Noble.

The minutes of yesterday were read.

Mr. Higby moved to amend the journal by stating that on the final passage of the bill making Addison a half shire town there were 65 votes in the affirmative and 20 in the negative.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Higby, and it was determined in the negative.

The minutes were then approved.

Messrs. Douglass and O. Allen, presented the petitions of citizens of Erie and Chautauque co's, in relation to the removal of a bridge across Cattaraugus creek at Irving, which were read and referred to the select committee consisting of the Erie and Chautauque delegations.

Mr O. C. Thompson presented the remonstrance of 92 voters of the town of Greenbush, against any alteration in the road laws, which was read and referred to the committee on roads and bridges.

Mr. Feller presented the petition of 130 citizens of Poughkeepsie, for the appointment of fire commissioners in said village, which was read and referred to the committee on the judiciary.

Mr. Corser presented the petition of Clark Wheeler and 88 other inhabitants in Gates, Monroe co., for an alteration in the charter of the city of Rochester in relation to the sale of fresh meat, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Jayne presented the petition of sundry inhabitants of Penn Yan, Yates co., for the annual appropriation to Geneva college, which was read and referred to the committee on colleges, academies and common schools.

Mr. Welden presented the petition of Edward Kingsland and 413 others, inhabitants of the valley of Ausable river, to open a road through the west branch of said river to the town of North Elba in Essex co., which was read and referred to the committee on roads and bridges.

Mr. Miles presented two petitions of 200 citizens of Steuben co., Mr. Gleason two petitions of citizens of Delaware co., for an appropriation to enable the Attorney General to procure testimony from Europe in relation to the Pulteney and Hornby estates, which were read and referred to the committee of the whole.

Mr. Pardee presented the remonstrance of the citizens of Canandaigua in the county of Ontario, against the laying out a public highway in that town, which was read and referred to the committee of the whole.

Mr. R. Babcock presented the petition of 107 inhabitants of Albany co., for a tax on every dog in said county, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Ferris presented two remonstrances of inhabitants of the village of Owego, against amending the charter of said village, which were read and laid on the table.

Mr. Brayton presented three petitions of inhabitants of Oneida co., Mr. H. Harris the petition of inhabitants of Albany co., Mr. Moss the petition of inhabitants of Niagara co., Mr. Lesley the petition of inhabitants of Rensselaer co., Mr. Gilbert the petition of inhabitants of Jefferson co., Mr. J. Benedict four petitions of inhabitants of Oneida co., Mr. Feller the petition of inhabitants of Dutchess co., for the speedy enlargement and completion of the Erie, Genesee and Black River canals, which were read and referred to the committee of the whole.

Mr. Coffin presented the petition of sundry inhabitants of Otsego co., Mr. Fitzhugh the petition of 500 inhabitants of Chautauque co., for the prohibition or regulation of the traffic in intoxicating drinks, which was read and referred to the committee of the whole.

Mr. Speaker announced his decision on the vote taken yesterday on the final passage of the bill entitled, "An act to revive and amend the several acts to incorporate and increase the capital stock of the Sodus canal company," in the words following: "this bill having received a majority of the votes of all the members elected to this House, three-fifths being present, is duly passed and will be sent to the Senate for concurrence."

Mr. Elderkin appealed from the decision of the chair.

Mr. Burroughs moved to refer said appeal to the Attorney General for his opinion.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

Mr. Speaker then, under the provisions of the 7th rule, gave the reasons for his decision, as follows:

The bill now before the House revives the act of March 19, 1829, by which a corporation called the Sodus Canal Company is created and empowered to construct and maintain a canal, of the same dimensions as the Erie canal, from the Erie canal to Sodus bay; "to sell or lease any and all surplus waters of said [Sodus] canal not wanted for the most commodious navigation thereof;" and in case of disagreement with the owners, "to enter upon, take possession of and use all such lands, real estates and streams, as shall be necessary for the purposes aforesaid," under such regulations as are therein prescribed. The corporation is also empowered to collect tolls on all articles transported on the canal.

The bill prohibits the corporation from "purchasing or holding for the use of their canal any living or durable streams of water which are naturally tributary to the Seneca river or any of its branches;"—and also from "drawing from the Erie canal any more than the surplus waters discharged into the level of the said Erie canal from the west," and also from "drawing the said level below the height ordered and fixed by the Canal Commissioner having charge of that section;" and severe penalties are affixed to any violation of these provisions.

The bill, therefore, permits the Sodus Canal Company to use the *surplus waters* discharged from the Erie canal at their point of junction for purposes of navigation between the Erie canal and Sodus bay; it also gives them power to collect tolls on all articles transported, and to sell or lease such of the surplus waters of their own canal as they do not need for said purposes of navigation.

The Constitution of this State (art. 1, sec. 9;) requires that "the assent of two-thirds of the members elected to each branch of the Legislature shall be requisite to every bill appropriating the public moneys or property, for local or private purposes,"

It is held by those who have taken an appeal from the decision of

the Chair, that the surplus waters appropriated by this bill are *public property* ; and that the use to be made of them,—the purpose to which they are to be applied,—is local or private ; and that the bill, therefore, comes within the requisitions of this section of the Constitution.

I. In the first place, it may well be doubted, whether surplus waters are public property within the meaning of this constitutional provision. The State has a right to take the waters of private streams for public uses. The waters in question are taken from Lake Erie, diverted from their natural channel which would take them into Lake Ontario, and appropriated to the use of the Erie canal. While in that canal they are unquestionably the property of the State ; but when they become surplus, when the State has no further use for them and they are discharged from the canal, it may well be doubted whether the State retains, or can retain, any property in them. This view is fully sustained by a decision in the Court of Chancery, in the case of *Varick vs. Smith*, (see *Prigg's Chancery Rep.* 9, p. 560) in which the Vice Chancellor, Gridley, decided that water, accumulated in a dam for the use of the Oswego canal, from the moment it passed over the top of the dam, was incapable of being appropriated to the use of the canal and ceased to be consecrated to the public use. "The public property in it," he says "had ceased to exist." So of the surplus waters of the Erie canal. The moment they are discharged from that canal, they cease to be public property. And it is the duty of the State to return them by the nearest route, and at the most convenient point, to their original channel. This route, it may well be maintained, is that of the Sodus canal, which returns these waters to Lake Ontario—the channel from which they were originally diverted.

If this view be correct the State has made no appropriation of public property within the meaning of the Constitution. The surplus waters, the use of which is given to the company, are either not property at all, or they are the private property of individuals. If they are private property, they can only be taken by the State for a public purpose.

II. But conceding that these surplus waters are property—either of the State or of individuals—is the purpose to which they are appropriated either "local" or "private."

These waters are to be used for purposes of navigation ; and after those purposes have been served, the surplus may be sold or leased for hydraulic or other purposes. The leading purpose of the appropriation is that of navigation. The canal is open to the use and navigation of the whole world, and is especially designed to afford an easy method of bringing produce from Canada by Lake Ontario to the Erie canal, and to furnish a convenient route for produce, merchandize, &c., from Pennsylvania and Southern New-York, seeking Canada as its market.

1. This, in the opinion of the chair, is not a local purpose. It is true the work is to be constructed in a certain locality, but that does not make the purpose of its construction a "local" purpose. All public works have location—but they are not therefore local. This

is not only evident on the slightest reflection, but it is sustained by high authority. In 1823, that distinguished jurist Hon. Samuel A. Talcott, then Attorney-General, being called upon by the Assembly to give an opinion as to whether the bill, appropriating land for the construction of the Albany basin, the fees for the use of which were to go to a private corporation, decided that it was not a local bill. Every expenditure of money for the purpose of erecting works of any description, he says, "may be considered in one point of view a local expenditure, because the money is expended in the construction of works within a particular location. But still it must depend upon the object which is to be answered by these works, whether the purpose of the expenditure is a local one." This Sodus canal is to be constructed for purposes of navigation, and that, in the judgment of the Chair, is not a local purpose.

2. It is urged that this canal is built, maintained and owned by a private corporation, which is authorized to collect tolls for transporting merchandize, &c., upon it; and that this fact makes its object a "private purpose" within the meaning of the Constitution. This construction is not sustained by sound principles or by the decisions of the courts. The canal is constructed for public purposes by a private corporation, which acts simply as the agent of the State, and receives for its compensation the privileges granted in the bill. The cases which sustain this view are numerous: some of them will here be cited.

In the case of Conkling, vs. Baldwin, (4 Wendell, 670) the defendant had been authorized to erect a dam across Seneca river, for the purpose of improving the navigation of that river;—he was also authorized to take lands necessary for the erection of the dam, and to collect tolls for the navigation of the river thus improved. He was also authorized to take water from the dam for hydraulic and other purposes. He was sued for damages, for having overflowed certain lands. And the Supreme Court, Hon. William L. Marcy, Justice, gave judgment in his behalf, on the ground that the work was a public work. I read from that opinion:

"A critical inspection of the act will settle the question as to the nature of the work. The power to erect the dam, it is true, is given to an individual, his heirs and assigns; but I apprehend the nature of the work is not determined by that circumstance. The execution of a public improvement may as well be committed to an individual or to a company as to public agents. What is the declared object of the statute? It is the construction of a dam at the head of McHarrie's rift, of such height as shall be necessary for improving the navigation of Seneca river. It is to be constructed in a particular manner pointed out in the act, so as to admit of the passage of rafts over it. In addition to this, a canal and lock are to be made for the passage of the largest sized boats on the river. The river is a public highway. The objects, so far as I have detailed them, are all of a public nature; but it is not to be expected that either an individual or a company would make a public improvement without provision for remuneration of the expenses which must necessarily attend the operation.

The act secures certain privileges to Mr. Baldwin and his heirs or assigns. It allows him to exact toll on property passing the lock and canal; and to take the water for mills and hydraulic works from the dam; and he is made liable for all injuries which the owners of the lands in the vicinity of the work may sustain thereby. There is nothing in his rights, privileges or duties, that distinguish this work, from that made by the Delaware and Hudson Canal Company, or the board of commissioners for the construction of the Albany basin. Both of these associations have rights and privileges secured to them which are supposed to be quite sufficient to counterbalance the burdens and responsibilities which they necessarily assume by embarking in the enterprise; but these rights and privileges do not make the undertaking a private matter. The improvement authorized by the act under consideration, has all the characteristics usually marking the distinction between private and public works. I cannot hesitate to pronounce it a public work."

The case now under consideration is even stronger than that thus decided. There, the Seneca river was a public highway—open to the free use and navigation of the world; yet by improving it, Mr. Baldwin made it his private property, so far as to collect tolls for its use, and sell its surplus waters for his own private benefit. Here a new channel of navigation is created by the company, and thrown open to the use of the public, the right of receiving pay for that use being retained. In both cases the execution of a public improvement is committed to a private company:—the objects of both are of a private nature:—in neither case could it be expected that private persons would make a public improvement without compensation: and in both cases the privileges granted are supposed to be sufficient to counterbalance the burdens and responsibilities in the enterprise. But these rights and privileges do not, in the case of the Sodus canal, any more than in that of the Seneca river improvement, make the undertaking a private matter.

Upon the principles thus laid down by the Supreme Court in the case of the Seneca river improvement, therefore, the Chair cannot doubt that the Sodus canal is a public work.

3. Again:—The Sodus canal is evidently quite as much a public work—quite as truly constructed and maintained for a public purpose, as a railroad. Its uses in fact, are precisely the same. Like railroads, it is for the transportation of persons, produce, merchandize &c. Its use is open to all the world. Like railroads, it is owned by a private corporation, for having certain powers and privileges as a compensation its construction. The Chair perceives no difference between this canal and a railroad, sufficient to render inapplicable to the one principles which have been established in regard to the other.

Now it is a well settled principle of law that the State cannot take private property for private uses,—that it cannot authorize any person or persons to enter upon, hold and occupy private property for a private purpose. The case cited by the gentlemen from Onondaga, (Mr. Le Roy) in his argument upon this subject, abundantly establish this principle. Yet the State has repeatedly authorized the

seizure of private property for the purpose of constructing railroads, and the Courts of the State, as well as the Supreme Court of the United States, have uniformly affirmed the constitutionality and rightfulness of such seizure. In the case of *Beekman vs. Saratoga and Schenectady Railroad Company* (2 Paige, 74) it was held by the Chancellor, Welworth, that the construction of a railroad is a public benefit, and that the Legislature may grant power to take private property for all improvements, whereby the public benefit is to be promoted, "whether such improvement is to be effected by the agents of the government, or through the medium of corporate bodies, or of individual enterprise."

A similar decision was given by the Supreme Court, in the case of *Bloodgood vs. Mohawk and Hudson Railroad Company*, (14 Wendell 57) in which Justice Sutherland uses this emphatic language:—"railroads, though made by private corporations, when designed for traveling and transportation, are great public improvements. They can be made profitable to the proprietors only by affording the most liberal accommodations to the public. They are, from their very nature, devoted, and exclusively devoted to the public use." This case was carried up, on writ of error, to the Court of Chancery, and there the decision of the Supreme Court was confirmed, and the principles involved in it discussed at length. (See 18 Wendell, p. 13.)

Besides these decisions of the courts, similar questions have been repeatedly decided in the same way by the Legislature of this State. In 1843 a bill was passed relinquishing a mortgage held by the State on the Erie railroad, and thus in effect appropriating three millions of dollars to that railroad. The Speaker, (Hon. George R. Davis) decided that it was not an appropriation to a local, or private, but to a public purpose, giving his reasons at length. (See Ass. Jour. 1843, p. 1033.) And on appeal, his decision was sustained, and the bill thus passed by a majority vote, three-fifths being present.

The general Railroad Act, passed in 1850, (Sess. Laws 1850, p. 24,) which authorizes any private company to take private property for the purpose of constructing, maintaining and collecting tolls upon any railroad, was also passed by a majority vote three-fifths being present; shewing clearly that in the judgment of the then Speaker and of the Legislature, property taken for a railroad is not taken for any "local or private purpose."

The same principle has been held by the courts of every State in the Union. In fact, every seizure of private property for the construction of a railroad, involves the principle that railroads, although constructed and owned by private corporations, and although the entire revenue from them goes into private hands, are nevertheless not made for a private purpose; for if they were, private property could not, under the Constitution of the United States, be seized and appropriated for them. Every public railroad, therefore, is regarded by the Legislatures and by the Courts of all the States, and by the Constitution and Supreme Court of the United States, as a public work.

And if railroads are public works, as these authorities show that they are, then, in the judgment of the Chair, the Sodus canal is also a public work.

4. It is urged that the grant of the use of the surplus waters of the Sodus canal for private purposes makes it a private work. The Chair, however, regards this as incidental to the main purpose of the canal, which cannot be affected by it. It stands upon the same footing as the right to collect tolls for its use; it is part of the compensation allowed by the State to a private company, for the execution of a public improvement. It is precisely analogous to the use of the water for hydraulic and other purposes granted to Mr. Baldwin as part of his compensation for improving the navigation of the Seneca river, and cannot affect the public character of the work.

These considerations lead the Chair to believe that the bill authorizing the construction of the Sodus canal is not a bill for any "local or private purpose." Conceding, therefore, what is nevertheless not beyond dispute or doubt, that the use of the surplus waters appropriated by this act to the use of the Sodus Canal Company, is property, either public or private; within the meaning of the Constitution, the Chair believes that it is not appropriated for any "local or private purpose," but for a public work,—constructed by a private company for the public benefit, that company receiving the tolls authorized to be collected and the proceeds of the sale or lease of the surplus waters, also authorized by this act, as only a just and fair compensation for the construction and maintenance of the canal.

The Chair is therefore of opinion, that, inasmuch as this bill, even if it appropriates public property at all, makes that appropriation for a public use, it falls within the provisions of art. 7, sec. 14 of the Constitution, and that three-fifths of all the members elected are necessary to constitute a quorum for its passage.

Mr. Speaker put the question, "Shall the decision of the chair stand as the judgment of the House?" and it was determined in the affirmative.

{ AYES 85 }
{ NOES 08 }

Those who voted in the affirmative are,

H. J. Allen	Cady	Fordyce	McLouth	A. Smith
O. Allen	Carrington	Gilbert	Macomber	Southwick
Atwood	Chamberlin	Gleason	Maurice	Stevens
J. W. Babcock	G. Clark	Graham	Miles	Stilwell
Backhouse	Cooke	A. A. Gregory	Minier	Swords
Baker	Congdon	W. S. Gregory	Moss	O. C. Thompson
Belknap	Corser	Greene	Noble	Townsend
J. Benedict	Dennison	H. Harris	Pardee	Tuthill
T. H. Benedict	Dewey	Hewit	J. L. Perry	Underwood
Bird	Dougherty	Higby	Pool	Varnum
Blackstone	Douglas	Hinds	Rouse	Wakeman
Bottum	Doyle	Hoppin	Bow	Ward
Bowne	Farr	Jayne	Rumsey	Welden
Bradley	Ferris	Kinsley	W. F. Russell	Whiteside
Brayton	Felber	Kellogg	Severance	Wootter
Briggs	Fisk	Langdon	Shulze	Wright
Bushnell	Fitzhugh	Lesley	Sickles	Yeomans

Those who voted in the negative are,

Burroughs	Coffin	Hatch	Le Roy	A. A. Thompson
J. F. Clark	Elderkin	Horton		8

By unanimous consent,

Mr. Hatch gave notice that he would, at an early day, ask leave to introduce a bill appointing commissioners to appraise the damages that may ensue to the owners of mills and water power upon the Oswego and Seneca rivers, from the construction of the Sodus canal, and the diversion of the waters belonging to those rivers.

Mr. W. F. Russell gave notice that he would, to morrow or some other early day, move to suspend the fourth rule of this House so far as relates to Senate bill No. 77, providing for the creation of the Ulster savings institution, so that said bill may be taken from the general orders and referred to a select committee with power to report the same complete.

On motion of Mr. T. H. Benedict, and by unanimous consent,

Resolved, That the general prison bill be made the special order for Monday 31st inst., immediately after the reading of the journal.

On motion of Mr. A. Smith, and by unanimous consent,

Resolved, That Assembly bill No. 808, in relation to taxes and assessments be made the special order for four o'clock this afternoon.

Mr. Varnum, from the committee on railroads, to which was referred the bill entitled, "An act authorising the Northern railroad company to increase its capital stock," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Varnum, from the committee on railroads, to which was referred the petition of Thomas F. Youngs and 32 others, citizens of Oyster Bay, Queens co., for the incorporation of the Hicksville and Cold Spring branch railroad co., reported, and asked and obtained leave to bring in a bill entitled, "An act to incorporate the Hicksville and Cold Spring branch railroad co., and to authorise the Long Island railroad co. to operate the branch road," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

In pursuance of previous notice, and on motion of Mr. Cooke,

Resolved, That the 4th rule of this House be and the same is hereby suspended, in order that the act entitled, "An act to authorise the opening, regulating, paving and otherwise improving avenue, in the village of Williamsburgh and city of Brooklyn," may be referred to a select committee to report complete.

On motion of Mr. Townsend, and by unanimous consent,

The House proceeded to the consideration of the resolution heretofore offered by him, in the words following, to wit:

Resolved, That the 4th rule be suspended so far as relates to Assembly bill No. 300, and the bill for the relief of Bethel Judd, and that the same be hereby referred to a select committee to report complete.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Tuthill asked and obtained leave to bring in a bill entitled, "An act to incorporate the Union wharf company at Greenport," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the Suffolk county delegation.

Mr. Fitzhugh offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That Assembly bill No. 379 on the general orders, entitled, "An act to aid the University of Rochester," and also Assembly bill No. 295 on the general orders, entitled, "An act to aid Genesee college," be made a special order for Tuesday next at 12 o'clock.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

By unanimous consent,

Mr. O. Allen, from the select committee, to which was referred the petition of Christian Shaffer and others, asking for an act of incorporation, reported, and asked and obtained leave to bring in a bill entitled, "An act to incorporate the journeyman tailor's association of the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. J. Benedict gave notice that he would ask leave to suspend the 4th rule of this House, so far as relates to Assembly bills No. 217, 241 and 460, that they may be referred to select committees to report complete.

By unanimous consent,

Mr. H. Harris gave notice that he would ask the suspension of the 4th rule, in order to refer Senate bill No. 146, and Assembly bills No. 426 and 483, to select committees to report complete.

By unanimous consent,

Mr. Briggs gave notice that he would, at some future day, move to suspend the 4th rule of this House.

On motion of Farr, and by unanimous consent,

Resolved, That Assembly bills No. 210 and 343, general orders, being bills for the relief David Rice and of Richard Empey, be referred to the same committee of the whole having charge of bill No. 126, general orders.

On motion of Mr. Varnum, and by unanimous consent,

Resolved, That bill No. 330 (printed number) for the relief of the colored orphan asylum in New York, be referred to the same committee of the whole having charge of the canal bills.

By unanimous consent,

Mr. Cady, from the select committee, to which was referred the bill entitled, "An act to incorporate the Franklinite company, for the exportation and manufacturing of the Franklinite and other ores," to report complete, reported that the committee had gone through and

bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Burroughs gave notice that he would, at some future day, move to suspend the fourth rule of this House, so far as it relates to Assembly bill No. 533; so that it may be referred to a select committee to report complete.

Mr. Lesley, from the committee on roads and bridges, to which was referred the petition of citizens of Buffalo and Black Rock, Erie county, for an act to authorise the construction of a suspension bridge across Niagara river, reported, and asked and obtained leave to bring in a bill entitled, "An act to incorporate the Buffalo suspension bridge company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the bill entitled, "An act to amend an act to authorise the laying out of a road from Newkirk Mills to Piseco village," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the Senate bill entitled, "An act to make a road district of the village of Elbridge, and concerning the payment of taxes therein," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Lesley, from the committee on roads and bridges, to which was referred the Senate bill entitled, "An act to amend the act entitled, 'An act to incorporate the Port Byron and Conquest turnpike road and bridge company,' passed May 25, 1836," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Le Roy offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That Assembly bill No. 455, being the bill providing for the enlargement of the Erie, Genesee Valley and Black river canals, be referred to the Attorney General for his opinion thereon, as to whether the provisions of said bill conflict with the constitution of this State.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

In pursuance of previous notice, and on motion of Mr. Wakeman,

Resolved, That the fourth rule be suspended so far as relates to bill No. 386 in relation to the State Arsenal in the city of New-York,

and bill 477, in relation to the free library of mechanics and tradesmen of the city of New-York, and that they be referred to a select committee of five with power to report complete.

By unanimous consent,

Mr. Hatch gave notice that he would, at a future day, ask for the suspension of the fourth rule of this House, in relation to the bill for the relief of Thomas W. Dixon.

Mr. A. Smith, from the select committee consisting of the Erie and Chautauque co. delegations, to which was referred the petition of trustees of the village of Westfield, for the passage of a law authorising the board of supervisors of Chautauque co., to borrow money to build a bridge across Chautauque creek, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the comptroller to loan to the town of Westfield, in the county of Chautauque, the sum of \$4500 out of money in the treasury, belonging to the common school fund for the purpose of building a bridge over Chautauque creek at Westfield," which was read the first time and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Severance, from the committee on claims, to which was referred the petition of James Smith and William Fisher, for relief, reported the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Underwood, from the committee on banks and insurance companies, to which was referred the Senate bill entitled, "An act to amend an act relating to the redemption of bank notes, passed May 4, 1840," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

On motion of Mr. W. S. Gregory,

Resolved, That Assembly bill number 244 on the general orders, (being the bill for the relief of the survivors of the New-York regiment of volunteers, who served during the late war with Mexico,) be taken from the same and referred to the committee of the whole having charge of Assembly bill number 115.

Mr. Graham, from the committee on public printing, reported in favor of the resolution heretofore offered in the words following, to wit :

Resolved, That five times the usual number of copies of the report of the Secretary of State on the statistics of crime, be printed for the use of the Legislature and 250 copies for the Secretary of State.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Higby gave notice of an intention to move the suspension of the fourth rule of the House, so far as relates to Assembly bills No.

289, 330, 391, 337 and 471, so that the said bills may be referred to a select committee to report complete.

By unanimous consent,

Mr. Dewey asked and obtained leave to bring in a bill entitled, "An act to amend an act entitled, 'An act to vest in the board of supervisors certain legislative powers, and to prescribe their fees for certain services,' passed April 3, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the New-York delegation.

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the petition in relation to that subject, reported, and asked and obtained leave to bring in a bill entitled, "An act to amend an act to provide for the incorporation of villages, passed December 7, 1847, so far as relates to the village of Niagara Falls," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bird, from the committee on the internal affairs of towns and counties, to which was referred the petitions and remonstrances in relation to extending a street in Greenport, reported the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. A. A. Gregory, from the committee on Indian affairs, to which was referred the Senate bill entitled, "An act in relation to the salary of the agent of the Onondaga Indians," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Bradley, from the minority of the committee on the erection and division of towns and counties, to which were referred several petitions and remonstrances in relation to a division of Wayne co., reported in writing, and asked and obtained leave to bring in a bill entitled, "An act for the erection of a new county from the western Assembly district of Wayne co.," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(See Doc. No. 135.)

Mr. Elderkin moved that the special order be postponed thirty minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the negative.

Mr. Elderkin moved that the special order be postponed for fifteen minutes.

Mr. Speaker put the question whether the House would agree to

the said motion of Mr. Elderkirk, and it was determined in the negative.

By unanimous consent,

Mr. Greene, from the select committee, to which was referred the bill entitled, "An act to amend an act entitled, 'An act in relation to the assessment and collection of taxes in the city of New-York, and to amend the several acts in relation thereto,' passed March 10, 1850," to report complete, reported that the committee had gone through said bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Noble, from the select committee, to which was referred the petition for making Trout brook and Minerva creek a public highway, reported, and asked and obtained leave to bring in a bill entitled, "An act making Minerva creek and Trout brook, in the counties of Essex and Warren, a public highway for the floating of logs and lumber," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Stevens, from the select committee, to which was referred the bill entitled, "An act to amend an act to incorporate the city of Syracuse, passed Dec. 14, 1847, and also the act amending the same, passed April 5, 1849, and also the act amending said act, passed April 4, 1850," to report complete, reported that the committee had gone through said bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Hatch, from the select committee, to which was referred the bill entitled, "An act for the relief of certain citizens of Oswego," to report complete, reported that the committee had gone through said bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Burroughs, from the committee on canals, reported the bill entitled, "An act to authorise the Canal Commissioners to construct a ditch on lot 41 in the town of Ridgeway, to carry off water thrown upon said lot by the Erie canal," which was read the first time and by unanimous consent was also read the second time, and committed to the committee of the whole.

A message from the Governor was received and read, in the words following, to wit :

EXECUTIVE DEPARTMENT, }
Albany, March 28, 1851. }

To the Assembly:

I have this day approved and signed the following entitled bills:

"An act to incorporate the Thistle benevolent association of the city of New-York."

"An act to repeal an act entitled, 'An act to amend an act for the more effectual prevention of fires in the city of New-York, and to

amend the acts heretofore passed for that purpose,' passed April 4, 1849, and to amend an act entitled, 'An act for the more effectual prevention of fires in the city of New-York, and to amend the acts heretofore passed for that purpose,' passed March 7, 1849.

"An act to amend the charter of St. Luke's Hospital in the city of New-York."

"An act to change the name of the town of Burton."

WASHINGTON HUNT.

Mr. Elderkin moved to postpone the special order for ten minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the affirmative.

By unanimous consent,

Mr. Underwood asked and obtained leave to bring in a bill entitled, "An act in relation to draining the Cayuga marshes," which was read the first time, and by unanimous consent was also read a second time, and referred to the select committee consisting of the Tompkins, Cayuga and Seneca delegations.

By unanimous consent,

Mr. Underwood asked and obtained leave to bring in a bill entitled, "An act to incorporate the Auburn water works co.," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee.

By unanimous consent,

In pursuance of previous notice, Mr. Rowe asked for and obtained leave to introduce a bill entitled, "An act to provide for the education of the children of the Tonawanda Indians in the county of Genesee," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

In pursuance of previous notice, and on motion of Mr. Baker,

Resolved, That the fourth rule be suspended, and the act to incorporate the Williamsburgh savings bank referred to a select committee to report complete, consisting of Kings county delegation.

On motion of Mr. Bishop, and by unanimous consent,

Resolved, That bill No. 233 on the general orders, being a bill for the relief of Edward L. Coburn be referred to the same committee of the whole having charge of Assembly bill No. 115.

By unanimous consent.

Mr. Bishop gave notice that he would move to suspend each and every rule of this House.

By unanimous consent,

Mr. T. H. Benedict ask and obtained leave to bring in a bill entitled, "An act defining fraudulent patterns, to punish and prevent the use thereof, and the sale of articles made therefrom," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Tuthill gave notice of an intention to move the suspension of

the fourth rule of the House, so far as relates to Assembly bill No. 397, general orders 457, so that the said bill may be referred to a select committee to report complete.

Mr. A. Smith gave notice that he would, at some future day, move to suspend the fourth rule so far as relates to the bill entitled, "An act to authorise the comptroller to loan to the town of Westfield, in the county of Chautauque, the sum of \$4500 out of money in the treasury, belonging to the common school fund for the purpose of building a bridge over Chautauque creek at Westfield," so that the same may be referred to a special committee to report complete.

Mr. Lesley gave notice that he would, at some future day, move to suspend the fourth rule of this House, so as to allow Assembly bills No. 122 and No. 193, to be referred to a select committee to report complete.

By unanimous consent,

Mr. Moss asked and obtained leave to bring in a bill entitled, "An act concerning the Niagara Falls and Lewiston plank road company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Wakeman asked and obtained leave to bring in a bill entitled, "An act in relation to the compensation of the justices of the supreme court of the first judicial district," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the New-York delegation.

By unanimous consent,

Mr. Hatch asked and obtained leave to bring in a bill entitled, "An act to levy a tax upon the town of Richland, Oswego county," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the Oswego county delegation.

On motion of Mr. G. Clark,

Resolved, That the petition and papers of Johnathan Hasbrouck in relation to the release by the State of Washington's head quarters at Newburgh, be returned to him.

By unanimous consent,

Mr. Townsend asked and obtained leave to bring in a bill entitled, "An act to amend an act entitled, 'An act respecting convictions in criminal cases, and to procure statistical information concerning convicts,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, and on motion of Mr. H. J. Allen.

Resolved, That bill No. 318, being an act in relation to ununiformed militia in the city of New-York, be referred to a select committee to report complete.

Mr. T. H. Benedict gave notice that he would, at a future day, move the suspension of the 4th rule of this House, so far as relates to Assembly bill printed No. 93, that the same may be referred to a select committee to report complete.

By unanimous consent,

Mr. H. J. Allen offered for the consideration of the House, a resolution in the words following, to wit:

Resolved, That the bill for licensing and government of the pilots of the port of New-York by the way of Sandy Hook, be taken from the committee of the whole and ordered engrossed for a third reading.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to authorize the Canal Commissioners to remove all obstructions to the free passage of the waters of Mill creek, in the city of Schenectady, to the Mohawk river," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

"An act to legalize certain conveyances of real estate heretofore made by the Susquehanna bridge co., and by the Binghamton and Pennsylvania turnpike co.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled, 'An act to incorporate the California inland steam navigation co.,' passed April 10, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the Westchester co. delegation.

Mr. Speaker then announced the special order.

The House then resolved itself into a committee of the whole, on the bill entitled, as follows, to wit:

"An act to provide for the completion of the Erie canal enlargement, and the Genesee Valley and Black River canals."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Bradley, from said committee, reported progress on said bill and asked and obtained leave to sit again.

Mr. Burroughs moved to make said bill the special order for this afternoon at five o'clock.

Mr. A. Smith moved to amend by substituting this evening at seven o'clock.

Mr. Elderkin moved to amend by substituting Monday afternoon at four o'clock.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the negative.

Mr. Burroughs moved to amend by substituting this afternoon at half past five o'clock.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, as amended, and it was determined in the affirmative.

Mr. Speaker announced the following select committee on Assembly bill No. 321, being an act in relation to the Onondaga salt springs, with power to report complete: Messrs. Stevens, Le Roy and McLouth.

A message from the Senate was received and read, informing that they had passed, without amendment, the bill entitled as follows:

"An act to authorise the Buffalo water works company to convey certain lands in the county of Erie."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bill entitled as follows:

"An act to vest in boards of supervisors power to direct the expenditure of money raised by tax for highway labor on non-resident lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Burroughs moved to lay this order of business, being that of messages from the Senate, on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

The bill entitled, "An act to establish free schools throughout the State," coming up for its third reading, Mr. Fordyce moved to recommit said bill to the committee of the whole with instructions to substitute the word "sixteen" for "twenty-one" in the section.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Fordyce, and it was determined in the negative.

Mr. Pardee moved to lay the third reading on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Pardee, and it was determined in the negative.

Mr. Graham moved to recommit with instructions to substitute for the first section of said bill the following:

"That chapter one hundred and forty of the Session Laws of 1849, entitled, "An act establishing free schools throughout the State," and chapter 404 of the Session Laws of 1849, amendatory of said act, are hereby repealed."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Graham, and it was determined in the negative.

Mr. Varnum moved to lay the third reading on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Varnum, and it was determined in the negative.

The hour for taking the recess having arrived,

Mr. Burroughs moved to postpone the recess until ten minutes past two.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

Mr. T. H. Benedict moved to recommit to the committee on colleges, academies and common schools, with instructions to strike out the fifth section and report an entirely free school bill.

Pending debate on said motion,

The House took a recess until 4 o'clock p. m.

FOUR O'CLOCK, P. M.

The House again met.

Mr. Speaker announced the special order.

Mr. Burroughs moved to postpone the special order for twenty minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

After debate on Mr. T. H. Benedict's motion to recommit offered this morning, the hour for the consideration of the special order having again arrived,

Mr. Burroughs moved to postpone for twenty minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

After further debate, the hour for the consideration of the special order having again arrived,

Mr. Varnum moved to amend the motion to recommit as follows :

"Provided that no tax shall be collected under this act until provision shall have been made by law for the more effectual equalization of the assessments."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Varnum, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. T. H. Benedict, to recommit, and it was determined in the negative.

{ AYES 19 }
{ NOES 67 }

Those who voted in the affirmative are,

H. J. Allen	Blackstone	Dennison	Macomber	Underwood
Backhouse	Cady	Dougherty	Maurice	Varnum
Baker	G. Clark	W. S. Gregory	Swords	Welden
J. Benedict	Casser	Ingersoll	A. A. Thompson	19

Those who voted in the negative are,

O. Allen	Douglass	Horton	Pardee	Southwick
Atwood	Doyle	Hoppin	J. L. Perry	Stevens
R. Babcock	Elderkin	Jayne	Pool	Stratten
J. W. Babcock	Farr	Kellogg	Rouse	Speaker
Belknap	Ferris	Langdon	Rowe	O. C. Thompson

Bird	Fordyce	Lawyer	Ramsay	Tuthill
Bishop	Gleason	Le Roy	W. Russell	Wakeman
Bowne	Graham	Lesley	W. F. Russell	Ward
Bradley	H. Harris	Lyon	Severance	Wheeler
Burroughs	L. Harris	McLouth	Shalles	Whiteside
Campbell	Hatch	Miles	Sickles	Wooster
Carrington	Hewit	Minier	A. Smith	Wright
J. F. Clark	Higby	Moss	Snell	Yeomans
Coffin	Hinds			

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Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 72 }
{ NOES 23 }

Those who voted in the affirmative are,

O. Allen	J. F. Clark	Hatch	Miles	Snell
Arwood	Coffin	Hewit	Minier	Southwick
R. Babcock	Congdon	Higby	Noble	Stevens
Belknap	Dennison	Hinds	J. L. Perry	Stratton
Bird	Douglass	Horton	Pool	Speaker
Bishop	Doyle	Hoppin	Rouse	O. C. Thompson
Bottum	Elderkin	Jayne	Rowe	Tuthill
Bowne	Farr	Kellogg	Rumsey	Wakeman
Bradley	Ferris	Langdon	W. Russell	Welden
Brayton	Fisk	Lawyer	W. F. Russell	Wheeler
Briggs	French	Le Roy	Severance	Whiteside
Burroughs	Gleason	Lesley	Shalles	Wooster
Bushnell	A. A. Gregory	Lyon	Sickles	Wright
Campbell	H. Harris	McLouth	A. Smith	Yeomans
Carrington	L. Harris			

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Those who voted in the negative are,

H. J. Allen	T. H. Benedict	Fordyce	Maurice	A. A. Thompson
J. W. Babcock	Blackstone	Graham	Moss	Townsend
Backhouse	G. Clark	W. S. Gregory	Pardee	Varnum
Baker	Corsar	Ingersoll	Swords	Ward
J. Benedict	Dougherty	Macomber		

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Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Speaker then announced the special order.

The House then resolved itself into a committee of the whole, on the bill entitled as follows :

"An act to amend chapter thirteen of the Revised Statutes entitled, 'Of the assessment and collection of taxes'"

And after some time spent thereon, Mr. Speaker resumed the chair, and announced the special order, being the bill entitled, "An act to provide for the completion of the Erie canal enlargement.

Mr. Wakeman moved to postpone the special order for one hour.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wakeman, and it was determined in the affirmative.

The committee of the whole then resumed the consideration of the tax bill.

And after some time spent thereon, Mr. Speaker resumed the chair, and announced the special order.

Mr. O. Allen moved to postpone the special order for to day.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the affirmative.

Mr. O. Allen moved to make the bill entitled, "An act to provide for the completion of the Erie canal enlargement and the Genesee and Black river canals," the special order for to morrow at 11 o'clock.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the affirmative.

On motion of Mr. Le Roy, and by unanimous consent,

Resolved, That the bill offered as a substitute for the bill to provide for the enlargement of the Erie and other canals be printed.

The committee of the whole then resumed the consideration of the tax bill.

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Elderkin from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Speaker then appointed the following select committee on the bills entitled, "An act for the relief of Rev. Bethel Judd," and "An act extending the time to John Garrison for continuing and regulating ferries across the Hudson river in the town of Phillips in the county of Putnam," with power to report complete: Messrs. Townsend, Fitzhugh and Dennison.

Mr. Wakeman moved to make the bill entitled, "An act to amend chapter thirteen of the Revised Statutes entitled, 'Of the assessment and collection of taxes,'" the special order for Monday next at 4 o'clock.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wakeman, and it was determined in the affirmative.

On motion of Mr. Elderkin,

Resolved, That bills No. 232 and 96 on Assembly files, be referred to a select committee consisting of the St. Lawrence delegation, with power to report complete.

On motion of Mr. E. Perry,

Resolved, That the bill to extend the time for a rehearing in the case of Solomon Parmelee and others, (303 general orders,) be referred to the same committee of the whole with bill for the relief of Nelson and Phillips, (125 general orders.)

On motion of Mr. J. Benedict,

Resolved, That Assembly bill No. 217, entitled, "An act to incorporate the Bainbridge and Lanesboro' steamboat navigation co.," also Assembly bill No. 241, entitled, "An act authorising the Bainbridge and Lanesboro' steamboat navigation company to improve the Susquehanna river from Bainbridge to the State line," also Assembly bill

No. 460, entitled, "An act to amend an act to amend and consolidate the several acts relating to the city of Utica, passed March 31, 1849," be referred to a select committee to report complete.

Mr. Tuthill, from the select committee, to which was referred the bill entitled, "An act to amend the Revised Statutes in relation to larceny," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Moss,

The House, at fifteen minutes past seven o'clock, adjourned.

SATURDAY, MARCH 29, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Morrow.

Messrs. Upham and Guinnip, a committee from the Senate, appeared and announced that Edwin D. Morgan had been appointed President pro tem. of that body.

The minutes of yesterday were read and approved.

Mr. Speaker announced the special order.

Mr. Campbell moved to suspend the special order five minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Campbell, and it was determined in the affirmative.

By unanimous consent,

Mr. Campbell, from the committee on privileges and elections, to which was referred the papers in relation to the contested seat from Yates co., reported in writing, and offered the following resolution:

Resolved, That John Underwood is not entitled to a seat in this House.

(See Doc. No. 128.)

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Brayton gave notice that he would, at a future day, move to suspend the 4th rule of this House, so far as it relates to Assembly bills No. 138, an act to incorporate the Rome savings bank, and No. 442, an act to incorporate the Westernville water works company.

By unanimous consent,

Mr. Jayne had leave to make a statement in relation to the contested seat from Yates co., and, on motion of Mr. Burroughs, said statement was ordered to be entered on the minutes, as follows:

Judge Oliver, of Yates co., desired me to say, inasmuch as his name had been used in this Assembly in a way to cast odium on him

as a public officer, he wished to be placed fairly before this House by requesting me to say that Mr. Underwood had made no application to him whatever to take testimony in his behalf as a claimant to a seat in this Assembly, and further that he was not absent at the time stated by honorable members on this floor, and would have attended to the taking of such testimony if required by Mr. Underwood.

Mr. Speaker then announced the special order, being the bill in relation to private claims.

The House then resolved itself into a committee of the whole, on the bills entitled, as follows, to wit:

"An act to pay Russell B. Burch for costs and expenses incurred by him in consequence of retaining certain school moneys while acting as school commissioner for the town of New Berlin."

The Senate bill entitled, "An act to authorise the re-appraisal and payment of canal damages to James Folts."

"An act authorising the appraisal and payment of certain damages arising from the construction of an aqueduct across the Chuctenunda creek."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Baker, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

Mr. Baker, from said committee, reported progress on said two last mentioned bills, and asked and obtained leave to sit again.

Mr. Speaker then announced the special order.

Mr. Burroughs moved to postpone the special order for one hour.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

The House then resolved itself into a committee of the whole, on the bill entitled, as follows, to wit:

"An act to provide for the completion of the Erie canal enlargement, and the Genesee Valley and Black River canals."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Bradley, from said committee, reported progress on said bill and asked and obtained leave to sit again.

Mr. Speaker then in their order announced the different orders of business up to that of unfinished business, which were upon motion severally laid upon the table.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act authorising the appraisal and payment of certain damages arising from the construction of an aqueduct across the Chuctenunda creek."

"An act for the relief of Patrick Rodgers."

"An act for the relief of Andrew Rockwell and Simeon Guthrie."

"An act authorising the canal board to settle a certain contract with Thomas E. Buchanan and Henry Card."

"An act for the relief of Charity Van Alstyne."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Baker, from said committee, reported that the committee had gone through said three first mentioned bills, and agreed to the same with amendments to said first mentioned bill, which report was agreed to.

Ordered, That said bills be engrossed for a third reading.

Mr. Baker, from said committee, reported progress on said two last mentioned bills, and asked and obtained leave to sit again.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to provide for the completion of the Erie canal enlargement, the Genesee Valley and Black river canals."

"An act for the relief of the association for the benefit of colored orphans in the city of New-York."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Bradley, from said committee, reported that the committee had gone through said bills, and agreed to the same with amendments to said first mentioned bill.

Mr. Elderkin moved to amend the report of the committee on the first mentioned bill by inserting in the 13th section "this act shall not take effect until it shall have been submitted to the electors of this State at a general election, if approved it shall become a law, if disapproved it shall then be considered void.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the negative.

{ AYES 20 }
{ NOES 51 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Doyle	Jayne	Minkler	Sickles
Bushnell	Elderkin	Lawyer	Noble	Stilwell
Dennison	French	Le Roy	E. Perry	Stratton
Dougherty	Higby	Maurice	W. F. Russell	A. A. Thompson

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Those who voted in the negative are,

O. Allen	Cady	Gleason	Lyon	Shultes
J. W. Babcock	Campbell	Graham	McLouth	A. Smith
Backhouse	Corser	A. A. Gregory	Macomber	Swords
Baker	Douglass	W. S. Gregory	Miles	Speaker
Belknap	Farr	Greene	Moss	Townsend
J. Benedict	Ferris	H. Harris	Pardee	Tuthill
Bird	Fisk	L. Harris	J. L. Perry	Underwood
Blackstone	Fitzhugh	Hinds	Rowe	Varnum
Bradley	Fordyce	Hoppin	Rumsey	Ward
Brayton	Gilbert	Kellogg	Severance	Welden
Briggs				

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Mr. Briggs moved the previous question.

Mr. Speaker put the question whether the House would agree to

second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

{ AYES 37 }
{ NOES 30 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

O. Allen	Bradley	Gilbert	Kellogg	Shulton
Atwood	Briggs	Gleason	McLouth	A. Smith
J. W. Babcock	Corser	A. A. Gregory	Moss	Speaker
Backhouse	Douglass	W. S. Gregory	Pardee	Townsend
Belknap	Farr	H. Harris	J. L. Perry	Underwood
J. Benedict	Fisk	L. Harris	Rowe	Ward
Bird	Fitzhugh	Hinds	Rumsey	Welden
Blackstone	Fordyce			

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Those who voted in the negative are,

H. J. Allen	Elderkin	Hoppin	Maurice	Sickles
Brayton	Ferris	Jayne	Miles	Stilwell
Bushnell	Graham	Lawyer	Minier	Stratton
Dennison	Greene	Le Roy	Noble	Swords
Dougherty	Hatch	Lyon	E. Perry	A. A. Thompson
Doyle	Higby	Macomber	W. F. Russell	Varnum

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Mr. Speaker put the question whether the House would agree to the report of the said committee, and it was determined in the affirmative.

Mr. Speaker announced the following bills as referred to select committees, hereinafter named, with power to report complete, to wit:

"An act to allow the trustees of school district No. 2, in the town of Batavia, to levy a tax for the support of schools therein," Messrs. Rowe, Atwood and Fisk.

"An act to incorporate the Bainbridge and Lanesboro' steamboat navigation co.," the delegation from Chenango co.

"An act authorising the Bainbridge and Lanesboro' steamboat navigation co. to improve the navigation of the Susquehanna river from Bainbridge to the State line," the delegation from Chenango co.

"An act to amend an act to amend and consolidate the several acts relating to the city of Utica, passed March 31, 1849," the delegation from Oneida co.

A message from the Governor was received and read, in the words following, to wit:

EXECUTIVE DEPARTMENT, }
Albany, March 29, 1851. }

To the Assembly:

I have this day approved and signed the following entitled bills:

"An act to authorise the Buffalo water works company to convey certain lands in the county of Erie."

"An act to confirm certain acts of school district No. 12, in the village of Indiana, relative to raising money to complete the school house."

"An act to provide for the organization and government of the police of the city of Albany."

WASHINGTON HUNT.

A message from the Senate was received and read, informing that they had passed without amendment, the bills entitled, as follows:

"An act further to amend the charter of the Attica and Hornellsville railroad co., passed May 14, 1845, so as to authorise said company to extend the road to the city of Buffalo and to change the corporate name."

"An act to authorise the Buffalo and Rochester railroad co. to sell and convey to the Attica and Hornellsville railroad co. the whole or any portion of its real estate, railroad track, depot and appendages, in or from the village of Attica to the city of Buffalo."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, informing that they had non-concurred in the passage of the bill entitled, **"An act for the relief of Lewis W. Beecher and William H. C. Hosmer."**

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled, **"An act to authorise any railroad corporation in this State to subscribe to the capital stock of the Attica and Hornellsville railroad co.,"** which was referred to the committee on railroads.

A message from the Senate was received and read, requesting the concurrence of the Assembly, to the bills entitled as follows:

"An act to increase the number of wards and ward officers in the city of Troy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to authorise the Tioga coal, iron, mining and manufacturing company to borrow money to relay their road with a heavy T rail, and to consolidate with the Tioga railroad company and to change the name of said company to the Corning and Blossburg railroad company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

"An act to authorise the appointment of two additional notaries public in and for the city of Troy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the relief of the parties interested in certain lands belonging to the estate of John I. Morgan," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act relative to a toll gate on the Geneva and Rushville plank road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to incorporate the Cohoes savings institution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

"An act to provide for the determination and settlement of the claim of John I. Walrath for damages occasioned by the diversion of the waters of the Chittenango creek," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to authorise the village of Albion to raise money by tax," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to amend an act entitled, 'An act to incorporate the village of Rondout,' passed April 4, 1849," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

"An act to incorporate the Swiss benevolent society of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to release the interest of this State in certain lands to Ernest Geraud, and to authorise letters of administration to be issued to him of the personal estate of Francis H. Chevrolat, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorising the Rochester and Webster plank road company to borrow money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to increase the powers of the directors and inhabitants of the village of Kingston, to make a separate road district of said village and to provide for the election of a chief engineer of the fire department of said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

The Senate also sent for concurrence a proposed amendment to the constitution, which was read and referred to the committee on the judiciary.

A message from the Senate was received and read, informing that they had passed, with an amendment therewith delivered, the bill entitled, "An act to authorise a part of the records of the county of Erie to be transcribed and deposited in the clerk's office of the county of Niagara."

Mr. Speaker put the question whether the House would agree to the Senate's amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{	AYES	68	}
{	NOES	00	}

Those who voted in the affirmative are,

H. J. Allen	Corser	H. Harris	Miles	A. Smith
O. Allen	Dougherty	L. Harris	Moss	Stewart
Atwood	Douglass	Hatch	Noble	Stilwell
J. W. Babcock	Doyle	Higby	Pardee	Swords
Backhouse	Farr	Hinds	E. Perry	Speaker
Baker	Ferris	Hoppin	Pool	A. A. Thompson
J. Benedict	Fisk	Ingersoll	Rowe	Townsend
Bird	Fitzhugh	Jayne	Rumsey	Tuthill
Blackstone	Fordyce	Kinsley	W. F. Russell	Underwood
Bradley	French	Kellogg	Severance	Varnum
Brayton	Gleason	Lawyer	Sherman	Wakeman
Briggs	Graham	Lesley	Shultes	Ward
Bushnell	A. A. Gregory	McLouth	Sickles	Welden
Cady	Greene	Macomber		

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Ordered, That the Clerk return the said bill to the Senate, with a message informing, that the Assembly have concurred in the said amendments, and amended the same accordingly.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act to secure for this State an agent to the World's Fair at London for 1851, who shall receive a sufficient remuneration."

Mr. Speaker put the question whether the House would agree to the Senate's amendments, and it was determined in the negative, three-fifths not being present.

{ AYES 68 }
{ NOES 01 }

Those who voted in the affirmative are,

H. J. Allen	Bushnell	Gleason	Lawyer	W. F. Russell
O. Allen	Cady	Graham	Le Roy	Severance
Anthoa	Corser	A. A. Gregory	Lesley	Shultes
Atwood	Dennison	W. S. Gregory	McLouth	A. Smith
J. W. Babcock	Dewey	Greene	Macomber	Stilwell
Backhouse	Dougherty	H. Harris	Miles	Stratton
Baker	Douglass	L. Harris	Noble	Swords
Belknap	Elderkin	Hatch	Pardee	Speaker
J. Benedict	Farr	Higby	E. Perry	Townsend
Bird	Ferris	Hinds	Pool	Tuthill
Blackstone	Fisk	Horton	Rouse	Underwood
Bradley	Fitzhugh	Hoppin	Rowe	Varnum
Brayton	Fordyce	Jayne	Rumsey	Welden
Briggs	French	Kellogg		

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For the negative,

Doyle

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Ordered, That said bill be laid upon the table.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled :

"An act to fix the salary of clerk of the Canal Appraisers."

Mr. Baker moved that the said bill be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Baker, and it was determined in the affirmative.

Mr. Underwood moved to lay said motion on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Underwood, and it was determined in the affirmative.

Mr. Burroughs moved that the House go into the committee of the whole on the several private claims bills.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

Mr. Burroughs moved to go into the committee of the whole on the bill for the relief of Buchanan and others.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

Mr. Varnum moved that the House go into the committee of the whole on the bill.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Varnum, and it was determined in the negative.

Mr. Baker moved to lay this order of business, being that of unfinished business, on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Baker, and it was determined in the affirmative.

Mr. Speaker appointed the following select committee on the bill for the organization and discipline of the ununiformed militia of the first division of the New-York State militia, to report complete: Messrs. H. J. Allen, Dewey and E. Perry.

Mr. W. F. Russell moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. W. F. Russell, and it was determined in the negative.

Mr. Speaker then, in their order, announced the orders of business up to that of reports of select committees, which were upon motion severally laid upon the table.

On motion of Mr. Fisk, and by unanimous consent,

Resolved, That Senate bill No. 510 on general orders, be referred to the same committee of the whole having charge of the State prison bills.

Mr. Tuthill, from the select committee, to which was referred the bill entitled, "An act to incorporate the Union wharf company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Swords, from the committee on colleges, academies and com-

mon schools, to which was referred the bill entitled, "An act to incorporate the Westminster college," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Swords, from the committee on colleges, academies and common schools, to which was referred the Senate bill entitled, "An act to incorporate the University of Albany," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Briggs, from the select committee, to which was referred the Senate bill entitled, "An act to amend an act to incorporate the California inland steam navigation co.," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Pool gave notice that he would, at some early day, move to suspend the 4th rule, so far as to enable him to move that the Senate bill No. 15 be referred to a select committee to report complete.

By unanimous consent,

Mr. Higby offered for the consideration of the House, a resolution, in the words following, to wit:

Resolved, That the committee on the assessment and collection of taxes be discharged from the further consideration of Senate bill No. 75, and that the same be referred to a select committee.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

By unanimous consent,

Mr. A. A. Gregory, from the committee on Indian affairs, to which was referred the bill entitled, "An act to provide for the education of the children of the Tonawanda Indians in the county of Genesee," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Severance gave notice that he would move to suspend the 4th rule of this House, to enable him to move to refer Assembly bill No. 485, relative to the Erie county clerk's office, to a select committee to report complete.

Mr. Baker, from the select committee, to which was referred the bill entitled, "An act in relation to the district attorney of the county of Kings," to report complete, reported that the committee had gone

through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Baker, from the select committee, to which was referred the bill entitled, "An act to incorporate the Williamsburgh savings bank," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Townsend, from the select committee, to which was referred the bill entitled, "An act for the relief of Bethel Judd," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Townsend, from the select committee, to which was referred the bill entitled, "An act extending the time for continuing and regulating a ferry across the Hudson river, in the town of Phillips," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

By unanimous consent,

Mr. Graham gave notice that he would, at an early day, move to suspend the 4th rule of this House, in order to move the reference of Senate bill No. 144, to a select committee to report complete, also so far as relates to Assembly bill No. 527, general orders.

By unanimous consent,

Mr. Stilwell gave notice that he would, on some future day, ask the suspension of the 4th rule of this House, to enable him to ask a reference of a bill to regulate certain ferries in the town of Morristown, and also a bill to recharter the village of Ogdensburgh.

On motion of Mr. H. Harris, and by unanimous consent,

Resolved, That the 4th rule be suspended so far as relates to Senate bill No. 146, being an act to incorporate the Cohoes savings bank, and also Assembly bill No. 483, being an act to provide for the erection of a bridge in Watervliet, and that they be referred to a select committee to report complete.

By unanimous consent,

Mr. Gleason gave notice that he would, at an early day, move to suspend the 4th rule, so far as to allow Assembly bills printed No.'s 159, 453 and 467, to be referred to a select committee to report complete.

By unanimous consent,

Mr. H. J. Allen asked and obtained leave to bring in a bill entitled, "An act to incorporate the Madison association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on colleges, academies and common schools.

Mr. Elderkin, from the select committee, to which was referred the

bill entitled, "An act to authorise the Northern railroad company to take stock in a railroad to Potsdam village, or to construct the same as a branch," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment.

Mr. Underwood moved that said report be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Underwood, and it was determined in the affirmative.

Mr. Elderkin, from the select committee, to which was referred the bill entitled, "An act to provide for the laying out and constructing the Colton and Long Lake road," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

In pursuance of previous notice, and on motion of Mr. Lesley,

Resolved, That the 4th rule of this House be suspended, so as to allow Assembly bills No. 122 and No. 193, to be referred to a select committee to report complete.

On motion of Mr. W. F. Russell, and by unanimous consent,

Resolved, That the 4th rule of this House be suspended, so far as relates to Senate bill No. 77, "An act to incorporate the Ulster county savings institution," and that the same be taken from the general orders and referred to a select committee to report complete.

Mr. Underwood, from the select committee, to which was referred the bill entitled, "An act in relation to draining the Cayuga marshes," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Underwood, from the select committee, to which was referred the bill entitled, "An act to incorporate the Auburn water works company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

Mr. Speaker announced the following bills as referred to select committees, hereinafter named, with power to report complete, to wit :

"An act to establish a ferry across Chautauque lake," the delegation from Chautauque co.

"An act to amend the charter of Westfield village," Messrs. A. Smith, Douglass and Wright.

Mr. Underwood, from the select committee of nine, reported the following bills as proper to be referred to select committees to report complete, to wit :

"An act to promote medical inquiry and instruction."

"An act to give to the medical college power to found and maintain a hospital."

"An act making an appropriation for the support in part of certain hospitals."

"An act to incorporate the Hicksville and Cold Spring branch railroad company, and to authorise the Long Island railroad company to operate the branch road."

"An act to incorporate the Auburn water works company."

"An act for the relief of Moses L. Martin."

"An act to annul a part of the Eastern Union turnpike road."

"An act to regulate the planting and taking of oysters and other shell fish in the Harlem river and the creeks of Westchester county."

"An act to authorise the city of Troy and certain railroad corporations to subscribe for and become the owners of stock for the construction of a railroad."

"An act to extend the act in relation to suits by and against joint stock companies and associates to companies having a joint or common interest in property."

"An act to provide for the election of recorders in cities."

"An act to amend the act entitled, 'An act to establish a court of special sessions in and for the city of Albany, and to confer further judicial powers upon the recorder of said city,' passed March 27, 1849."

"An act to constitute that part of the town of Mexico, Oswego co., lying within the corporate limits of said village a separate road district."

"An act to provide for building a bridge on the site of the Oswego Falls bridge."

"An act in relation to the Oswego county agricultural society."

"An act to authorise the Maspeth avenue and toll bridge company to mortgage their corporate property in order to raise money to enable them to plank their road."

"An act to provide for the election of trustees of the Methodist Episcopal society of the village of Sandy Hill and its vicinity."

"An act to incorporate the Ishua Hydraulic company."

"An act to amend an act entitled, 'An act to establish a free school in district number three in the town of Newton,' passed March 16, 1830."

"An act to amend an act for the incorporation of villages, passed December 7, 1847."

"An act to amend the act in relation to the village of Fort Plain, passed March 20, 1820."

"An act to authorise the commissioners of highways of the town of Wilna to lay out a public highway less than three rods wide."

"An act authorising the trustees of White Plains academy to sell and dispose of their academy and the lot of ground connected therewith on which the same is situated."

"An act to amend the charter of the village of Herkimer."

"An act relating to the courts of general and special sessions of the peace, in and for the city and county of New-York."

"An act to amend an act entitled, 'An act for the more effectual collection of taxes and assessments in the city of New-York,' passed April 12, 1818."

"An act in relation to the village of Fort Plain."

"An act to amend the act establishing the Poughkeepsie and New Paltz company."

"An act to change the name of Elisha Brown Hogmire to Elisha Brown Hogmire Boyd."

"An act in relation to the attendance of grand jurors at courts of sessions."

"An act to amend the act entitled, 'An act to provide for the incorporation of villages, passed December 7, 1847, as far as relates to the village of Corning in the county of Steuben.'"

"An act in relation to the width of highways in the town of Ghent."

"An act to release the interest of the State in certain real estate in the county of Erie, to Erastus Ann Wright only child of the late Erastus B. Wright, an alien, and to authorise her to take, hold and convey the same."

"An act to incorporate the New-York house and school of industry."

"An act to authorise the commissioners of the land office to correct errors in the sale of lands."

"An act in relation to the wood district in the village of Prattsburgh, in the county of Steuben."

"An act to authorise Phineas B. Cook to establish and continue a ferry across the Genesee river, from the village of Charlotte at the mouth thereof to the opposite shore"

"An act requiring the county treasurer of the county of Fulton to refund and pay over certain surplus school moneys to the supervisors, overseers of the poor and commissioners of highways of certain towns in said county."

"An act to change the name of Livingston Conley to Livingston Thorn."

"An act in relation to the Rome and Oswego road company."

"An act in relation to the Newton and Maspeth plank road company."

"An act to amend an act entitled, 'An act to organise a separate battalion in the county of Richmond,' passed March 3, 1850."

"An act to provide for draining certain lands in the town and city of Otsego."

"An act to amend an act entitled, 'An act in relation to the terms of the supreme court, held in the city of Albany,' passed March 6, 1849."

"An act for the preservation of fish in Oneida lake."

"An act to authorise the Fort Plain and Cherry Valley plank road company to borrow money."

"An act for the presentation of a copy of the Natural History of this State to the library of the executive mansion at Washington."

"An act to release the interest of the State in certain real estate, of which Edward Farley died seised to Jane Farley, and to remove disability of alienism."

"An act to revive and extend the act to incorporate the Unadilla bridge company."

"An act to authorise the common council of the city of Rochester to widen the ally leading from court street to the county jail in said city."

"An act to amend the act entitled, 'An act to incorporate the village of Astoria,' passed April 12, 1839."

"An act to incorporate the Orient wharf company."

"An act to facilitate the construction of the Lewiston railroad, and to authorise the Buffalo and Niagara Falls railroad company and the Lewiston railroad company to unite in one company."

"An act to enable the Rochester and Niagara Falls railroad company to straighten and otherwise improve the track of their road."

"An act to authorise the supervisors of the towns of Fishkill and Poughkeepsie to borrow money to build a bridge over the Wappinger's creek at Wappinger's falls."

"An act concerning the rank of officers of engineers of the militia of New-York."

"An act to enable religious societies to provide for their common expenses."

"An act to confirm the official acts of Isaac E. Beecher, a justice of the peace."

"An act to confirm the title of Samuel White to certain real estate conveyed to him by Hugh McMullen, an alien."

"An act to amend the act entitled, 'An act to provide for the incorporation of villages,' passed Dec. 7, 1847, so far as relates to the village of Cohoes."

"An act in relation to the officers having charge of highways and to the labor assessed therein."

"An act to authorise the town of Flushing, in the county of Queens, to raise money by tax for the purchase of a farm for the support of the poor, and to sell part of their town lands."

"An act for the relief of Samuel Parmelee, Robert C. Kenyon and Sands N. Kenyon."

"An act to make a road district of the village of Elbridge and concerning the payment of taxes therein."

"An act to incorporate the Miniscongo ferry co., in the county of Rockland."

"An act to confirm the title of Thomas Martin, Lawrence Martin, Bridget Martin and the Roman Catholic society in the town of Newport, to certain lands devised by Patrick Martin."

Mr. O. Allen, from the committee on canals, to which was referred the Senate's amendments to the bill entitled, "An act to fix the salary of the clerk of the Canal Appraisers," reported in favor of concurring in said amendments.

Mr. Baker moved that the said bill be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Baker, and it was determined in the affirmative.

Mr. Le Roy, from the select committee, to which was referred the bill entitled, "An act in relation to the Onondaga salt springs," to report complete, reported that the committee had gone through said

bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. W. F. Russell, and by unanimous consent,

Resolved, That the bill to amend an act for the preservation of Washington's Headquarters, (No. 498 general orders,) be made a special order for Wednesday next, 2d April, at 12 o'clock, M.

On motion of Mr. W. F. Russell,

The House then, at half-past two o'clock, adjourned.

MONDAY, MARCH 31, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Potter.

The minutes of Saturday were read and approved.

Mr. Speaker announced the special order, being the several bills relative to state prisons.

Mr. Tuthill moved to postpone the special order for fifteen minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Tuthill, and it was determined in the affirmative.

By unanimous consent,

In pursuance of previous notice, and on motion of Mr. Tuthill,

Resolved, That the 4th rule of the House be suspended, so far as to refer bills No. 417, general orders No. 418, it being "An act to give to the New-York medical college power to found and maintain a hospital connected with said college," and No. 395. general orders, being "An act making an appropriation for the support in part of certain hospitals," to select committees to report complete.

By unanimous consent,

In pursuance of previous notice, and on motion of Mr. Tuthill,

Resolved, That the 4th rule of this House be suspended, so far as to refer bill No. 397, general order No. 457, it being "An act to promote medical inquiry and instruction," to a select committee with power to report complete.

By unanimous consent,

Mr. Wakeman, from the select committee, to which was referred the bill entitled, "An act for the relief of the free library of the general society of mechanics and tradesmen of the city of New-York," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

By unanimous consent,

Mr. Wakeman, from the select committee, to which was referred the bill entitled, "An act in relation to the State arsenal in the city of

New-York," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Backhouse presented the remonstrance of the board of supervisors of the county of Kings, against an act in relation to the office of district attorney of said county, which was read and laid upon the table.

Mr. Backhouse presented the remonstrance of 75 owners of real estate, against an act to alter South sixth and South seventh streets, in the village of Williamsburgh, county of Kings, which was read and referred to the select committee having charge of that subject.

Mr. J. Benedict presented the petition of Norton and Smith, for relief for damages arising on the Oswego canal, which was read and referred to the committee on canals.

Mr. Noble presented the petition of the trustees and other citizens of the several school districts of Glens Falls, Warren co., for a consolidation of their district school libraries, which was read and referred to the committee on colleges, academies and common schools.

Mr. Sherman presented two remonstrances of A. Ellenty and others, against the law to amend the charter of the Poughkeepsie and New Paltz ferry company, which was read and referred to a select committee.

Mr. Pardee presented the petition of inhabitants of Ontario co., for an act authorising the construction of a navigable feeder from Canandaigua Lake to the Erie canal, which was read and referred to the committee on canals.

Mr. Barnes presented the petition of the members of the bar of Orange co., for an appropriation for the purchase of a law library to be located as directed by section first, chapter 300 of Session Laws of 1849, at some point on the New-York and Erie railroad in the southern tier of counties, which was read and referred to the committee of the whole.

Mr. Pardee presented two remonstrances of citizens of Canandaigua, Ontario co., against the laying out a public highway in the village of Canandaigua, which were read and referred to the committee on roads and bridges.

Mr. Noble presented three petitions of inhabitants of Warren co., Mr. Gilbert presented one petition of inhabitants of Jefferson co., for the suppression or regulation of the traffic in intoxicating drinks, which were read and referred to the committee of the whole.

Mr. Cady presented the petition of inhabitants of Kings co., for an act relative to the courts in said co., which was read and referred to the committee on the judiciary.

Mr. Graham presented the petition of inhabitants of Enfield, for a law authorising the supervisors of Tompkins co. to divide the gospel and school lot money, held jointly by the towns of Ulysses, Ithaca and Enfield, so that said towns may hold the same separately, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Sherman presented one petition of sundry citizens of Poughkeepsie, for the establishment of lamp districts in said village, Mr. Sherman presented two remonstrances on the same subject, which were read and referred to a select committee consisting of the Dutchess county delegation.

Mr. O. Allen presented the petition of sundry inhabitants of Erie and Chautauque co's., in relation to the removal of the bridge across the Cattaraugus creek at Irving, which was read and referred to a select committee.

Mr. Ward presented the remonstrance of Jno. L. Brown and others, against any law which would invalidate their legal right to land under water adjacent to the city of New-York, which was read and referred to the select committee having charge of that subject.

Mr. Backhouse presented the petition of 354 citizens of Brooklyn, for repeal of laws giving orphan asylums school money, which was read and referred to the committee on colleges, academies and common schools.

Mr. Lesley presented the remonstrances of officers of the 24th regiment of infantry, N. Y. State militia, against the Senate bill, and for the passage of the bill reported by the chairman of the committee on militia &c., of the House, which was read and referred to the select committee having charge of that subject.

Mr. Swords presented the petition of directors of Newtown and Maspeth plank road company, to authorize the collection of tolls from funerals coming from any other county than the county of Queens, which was read and referred to the committee on roads and bridges.

Messrs. Ward, Blackstone, Varnum and A. A. Thompson severally presented remonstrances of sundry citizens of New-York, against imposing restrictions on the New-York and Erie railroad company, which was read and referred to the committee on railroads.

Mr. O. Allen presented two petitions of inhabitants of Erie co., Mr. McLouth one petition of sundry inhabitants of Ontario co., Mr. Bottum three petitions of sundry inhabitants of Wayne co., Mr. Lesley three petitions of sundry inhabitants of Rensselaer co., Mr. Varnum one petition of sundry inhabitants of New-York, Mr. Pardee two petitions of sundry inhabitants of Ontario co., Mr. A. Smith one petition of sundry inhabitants of Chautauque co., Mr. Wakeman one petition of sundry inhabitants of New-York, Mr. Pool one petition of sundry inhabitants of Jefferson co., Mr. Burroughs one petition of sundry inhabitants of New-York, for the enlargement of the Erie canal and the completion of the Black river and Genesee Valley canals, which were read and laid upon the table.

Mr. Hatch presented the petition of 172 citizens of Oswego co., for the enlargement of the Oswego canal, which was read and referred to the committee on canals.

In pursuance of previous notice, and by unanimous consent,

Mr. Pool offered for the consideration of the House, a resolution, in the words following, to wit:

Resolved, That the fourth rule be suspended, and the Senate bill No. 15, to supply the Black River canal and the Black river with

water by draining the lakes at the head of Black, Moose and Beaver rivers, be referred to a select committee to report complete.

Debate being had thereon,

Ordered, That said resolution be laid upon the table.

By unanimous consent,

Mr. A. Smith, from the select committee, to which was referred the bill entitled, "An act to amend the charter of Westfield village, to enlarge the powers of the trustees of said village," to report complete, reported that the committee had gone through said bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. A. Smith, from the select committee, to which was referred the Senate bill entitled, "An act granting to Philip A. Strong the right of establishing a ferry across the Chautauque lake," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be read the third time.

By unanimous consent,

Mr. Hatch gave notice that he would, at a future day, ask to suspend the fourth rule of this House in relation to Assembly bill No. 424, for the purpose of having the same referred to a select committee to report complete.

By unanimous consent,

Mr. Gilbert gave notice that he would, at some future day, move to suspend the 4th rule of the House, so far as it relates to Assembly bill No. 381, so that it may be referred to a select committee to report complete.

By unanimous consent,

Mr. Graham gave notice that he would, at an early day, ask leave to introduce a bill authorising the supervisors of Tompkins co. to divide the gospel and school lot money belonging jointly to the towns of Ulysses, Ithaca and Enfield, so that said towns may hold the same separately.

By unanimous consent,

Mr. Baker asked and obtained leave to bring in a bill entitled, "An act to incorporate an asylum for idiots in the State of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent,

Mr. Ward, from the select committee, to which was referred the bill entitled, "An act to incorporate the Broadway savings institution in the city of New-York," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Speaker again announced the special order.

Mr. Varnum moved to postpone the special order for twenty minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Varnum, and it was determined in the affirmative.

By unanimous consent,

Mr. Varnum, from the committee on railroads, to which was referred the Senate bill entitled, "An act to authorise the Tioga coal, iron, mining and manufacturing company to borrow money to relay their road with a heavy T rail, and to consolidate with the Tioga railroad co., and to change the name of said company to the Corning and Blossburgh railroad company," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Rowe, from the select committee, to which was referred the bill entitled, "An act to enable the trustees of consolidated school district number two, in Batavia, to levy a tax for the support of a school therein," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Graham, and by unanimous consent,

Resolved, That the 4th rule of this House be suspended, so far as relates to Senate bill No. 144, and that the same be referred to the Steuben co. delegation to report complete.

By unanimous consent,

In pursuance of previous notice, and on motion of Mr. Severance,

Resolved, That the 4th rule be suspended so far as relates to Assembly bill No. 485, relative to the fees of the county clerk of the county of Erie, and that the same be referred to the Erie co. delegation to report complete.

By unanimous consent,

Mr. Townsend, from the committee on the judiciary, to which was referred the Senate bill entitled, "An act in relation to weights and measures," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Ingersoll, from the select committee, to which was referred the bill entitled, "An act authorising the Bainbridge and Lanesboro' steamboat navigation co. to improve the Susquehanna river from Bainbridge to the State line," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Baker moved that this order of business, being that of presentation of petitions, be laid on the table.

Mr. Speaker put the question whether the House would agree to

the said motion of Mr. Baker, and it was determined in the affirmative.

By unanimous consent,

Mr. Townsend, from the committee on the judiciary, to which was referred the memorial of the mayor and common council of the city Auburn, for the passage of a law authorising said council to loan the credit of the city of Auburn to aid in the construction of a railroad from lake Ontario to the N. Y. and Erie railroad, reported the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Underwood moved that said resolution be laid on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Underwood, and it was determined in the affirmative.

By unanimous consent,

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to amend the act entitled, 'An act to take the proof and acknowledgment of deeds and other instruments and to administer oaths in other states and territories,' passed April 10, 1850," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Townsend, from the committee on the judiciary, to which was referred the bill entitled, "An act to authorise the society of redemptionists to hold certain real estate heretofore conveyed," reported that the committee had examined said bill, made sundry amendments thereto, and saw no reason why the same, as amended, should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Townsend, from the committee on the judiciary, to which was referred the Senate bill entitled, "An act to confirm the title of a certain lot or piece of land to Roswell Graves," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of Myron Pond, of Penn Yan, Yates co., for the passage of an act authorising him to change his name, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise Myron Pond to change his name," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Townsend, from the committee on the judiciary, to which was referred the petition of inhabitants of Oneida co., to prevent the leasing of the poorhouse for more than one year by county superintendents, reported the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Ferris, from the committee on colleges, academies and common schools, to which was referred the petition of the trustees of school district No. 10, Livonia, Livingston co., for the passage of an act to authorise them to levy a tax to enable them to pay teachers' wages and for other purposes, reported, and asked and obtained leave to bring in a bill entitled, "An act to authorise the trustees of school district No. 10, in the town of Livonia, in the county of Livingston, to collect a tax," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. Briggs, and by unanimous consent,

Resolved, That the 4th rule of this House be suspended, so as to allow Senate bill entitled, "An act to amend an act entitled, 'An act to incorporate the California inland steam navigation co.,' passed April 10, 1850," to be referred to a select committee consisting of the Westchester co. delegation to report complete.

On motion of Mr. Ferris, and by unanimous consent,

Resolved, That the fourth rule of this House be suspended, so far as it relates to Assembly bill No. 527, general orders, and that the same be referred to the delegation from Tompkins co. to report complete.

By unanimous consent,

Mr. Underwood gave notice that he would move to suspend the 4th rule of the House in regard to the bill to drain the Cayuga marshes, also Assembly bills No. 101 and 500.

On motion, leave of absence was granted to Messrs. Langdon and J. F. Clark for one week.

By unanimous consent,

Mr. Ward, from the committee on charitable and religious societies to which was referred the bill entitled, "An act to incorporate the society for the relief of the destitute children of seamen," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Cady asked and obtained leave to bring in a bill entitled, "An act conferring additional powers on courts of special sessions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the Senate bill entitled, "An act to increase the number of wards and ward officers in the city of Troy," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the Senate bill entitled, "An act to amend the several acts incorporating the village of Binghamton," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the Senate bill entitled, "An act to amend an act entitled, 'An act to incorporate the village of Roadout,' passed April 4, 1849," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the Senate bill entitled, "An act to increase the powers of the directors and inhabitants of the village of Kingston to make a separate road district of said village, and to provide for the election of a chief engineer of the fire department of said village," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the Senate bill entitled, "An act to authorize the village of Albion to raise money by tax," reported that the committee had examined the said bill, and saw no reason why the same should not be passed into a law.

Ordered, That the said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Baker, from the committee on the incorporation of cities and villages, to which was referred the bill entitled, "An act respecting incendiaryism, &c., for Poughkeepsie," reported that the committee had examined said bill, and saw no reason why the same should not be passed into a law.

Ordered, That said bill be committed to the committee of the whole.

By unanimous consent,

Mr. Burroughs gave notice that he would on some future day move to suspend the 4th rule of this House so far as it relates to Assembly bill No. 533 and 548, and the act to authorise the laying out a highway on the bank of Oak Orchard feeder, No. 512.

By unanimous consent,

Mr. J. Benedict, from the select committee, to which was referred the bill entitled, "An act to amend an act to amend and consolidate the several acts relating to the city of Utica, passed March 31, 1849," to report complete, reported that the committee had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Le Roy offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the division engineer having charge of the Oswego canal, report to this House as soon as convenient, whether the dam at Phoenix on the Oswego river has been raised since 1848, and if so, how much said dam has been raised above its original height.

Ordered, That the said resolution be laid upon the table.

By unanimous consent,

Mr. Lyon gave notice that he would, at a future time, offer a resolution to suspend the fourth rule of this House, so far as regards the Assembly bills No. 286 and 307.

By unanimous consent,

Mr. Elderkin moved to take from the table the report of the select committee on the bill entitled, "An act to authorise the Northern railroad company to take stock in a railroad to Potsdam village, or to construct the same as a branch.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the report of the said committee, and it was determined in the affirmative.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Varnum,

Resolved, That bill No. 306 entitled, 'An act to authorise the railroad corporations of this State to subscribe to the capital stock of the Great Western railroad, Canada West, be referred to the railroad committee to report complete.

Mr. Speaker again announced the special order.

Mr. A. Smith moved to postpone the same for five minutes.

Mr. Elderkin moved to postpone the same for 15 minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. A. Smith, and it was determined in the negative.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act making appropriations for the State prisons at Sing Sing and Clinton."

"An act directing the sentence and confinement of certain criminals from the third and fifth judicial districts, in the Albany and Onondaga county penitentiaries instead of a State prison."

"An act in relation to the State prisons of this State."

"An act in relation to the State prisons of this State."

"An act making appropriations for erecting a guard wall for the State prison at Sing-Sing."

"An act in relation to the prison farm at Sing Sing."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Briggs, from said committee, reported that the committee had gone through said first mentioned bill, and agreed to the same with amendments, which report was agreed to.

Mr. Wheeler moved to amend by striking out the first section of the bill.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wheeler, and it was determined in the affirmative.

Mr. Macomber moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Macomber, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said report, and it was determined in the affirmative.

By unanimous consent,

Resolved, That this House take a recess this day and daily thereafter at a quarter before two o'clock until 4 o'clock p. m., and will at that hour re-assemble for the transaction of business during the remainder of the session.

The House took a recess until 4 o'clock p. m.

FOUR O'CLOCK, P. M.

The House again met.

Mr. Speaker announced the special order.

Mr. O. Allen moved to postpone the special order for five minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the affirmative.

On motion of Mr. O. Allen, and by unanimous consent,

Resolved, That the bill entitled, "An act for the relief of the Buffalo and Black Rock railroad company," be referred to the same committee of the whole having charge of the bill to provide for the assessment and collection of taxes.

On motion of Mr. Underwood, and by unanimous consent,
Resolved, That the bill entitled, "An act to amend an act relating to the redemption of bank notes," passed May 4, 1840," be referred to the same committee of the whole having in charge the assessment bill.

On motion of Mr. Graham, and by unanimous consent,
Resolved, That Assembly bill No. 508 entitled, "An act to provide for removing obstructions from the outlet of Cayuga Lake and for the lowering of said lake," be referred to the same committee of the whole having in charge the bill for the assessment and collection of taxes.

On motion of Mr. Pardee,
Resolved, That the bill to provide for the appraisal and payment of canal damages to Volney Hughes, and also the bill to provide for the appraisal and payment of canal damages to Charles W. Woolston, be referred to the same committee of the whole having charge of the bill for the relief of Phillips and Nelson.

On motion of Mr. Townsend, and by unanimous consent,
Resolved, That Assembly bill printed, number three hundred and sixty nine, be recommitted to the committee of the whole, to retain its place on the general orders.

Debate being had thereon,
Ordered, That said resolution be laid upon the table.

On motion of Mr. Wheeler, and by unanimous consent,
Resolved, That the inspector of State prisons resident at Sing Sing, be requested to report to this House forthwith. the amount in items of the indebtedness of the Sing Sing prison, prior to the first day of October 1850, and how, and where the same accrued.

In pursuance of previous notice, Mr. Wheeler moved to suspend the rule which provides that all resolutions calling for information from State officers lie on the table one day.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wheeler, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to Mr. Wheeler's resolution, and it was determined in the affirmative.

On motion of Mr. O. Allen, and by unanimous consent,
Resolved, That the 4th rule be suspended, so as to allow Assembly bills No. 543, 549, 427 and 58, and Senate bill No. 563, to be referred to select committees to report complete.

On motion of Mr. O. Allen, and by unanimous consent,
Resolved, That Assembly bill No. 543, 549, 427 and 58, and Senate bill 563, (all on general orders,) be referred to a select committee consisting of the delegates from the county of Erie to report complete.

Mr. Speaker announced the following bills as referred to select committees, hereinafter named, with power to report complete, to wit :

"An act to incorporate the Ulster county savings institute," Messrs. W. F. Russel, Cooke and Greene.

"An act to incorporate the Dutchess county savings bank," Messrs. Feller, Sherman and Blackstone.

"An act to incorporate the Cohoes savings bank," Messrs. H. Harris, Cooke and Underwood.

"An act to provide for the erection of a bridge in Watervliet," Messrs. H. Harris, Campbell and Hoppin.

"An act in relation to the State arsenal in the city of New-York," Messrs. Wakeman, Varnum and Elderkin.

"An act for the relief of the free library of the general society of mechanics and tradesmen of the city of New-York," Messrs. Wakeman, Macomber and Townsend.

"An act to amend an act in relation to free schools in the city of Troy and school district No. 10 in Lansingburgh, also to amend the act of the city of Troy," Messrs. Lesley, Briggs and Maurice.

"An act to amend the charter of the village of Lansingburgh, passed March 29, 1849," Messrs. Lesley, Backhouse and Dennison.

"An act to authorise the opening, regulating, paving and otherwise improving avenue, in the village of Williamsburgh and city of Brooklyn," the delegation from Kings co.

"An act to make a road district of the village of Elbridge and concerning the payment of taxes therein," the delegation from Onondaga co.

"An act to incorporate the Miniseongo ferry co., in the county of Rockland," Messrs. Sickles, Bowne and T. H. Benedict.

"An act to confirm the title of Thomas Martin, Lawrence Martin, Bridget Martin and the Roman Catholic society in the town of Newport, to certain lands devised by Patrick Martin," Messrs. Wooster, Pool and Bradley.

"An act in relation to the officers having charge of highways and to the labor assessed thereon," Messrs. Le Roy, Baker and Lesley.

"An act to authorise the town of Flushing, in the county of Queens, to raise money by tax for the purchase of a farm for the support of the poor, and to sell part of their town lands," the delegation from Queens co.

"An act for the relief of Solomon Parmelee, Robert C. Kenyon and Sands N. Kenyon," Messrs. Moss, Douglass and J. W. Babcock.

"An act to confirm the official acts of Isaac E. Beecher, a justice of the peace," Messrs. H. Harris, Yeomans and Maurice.

"An act to confirm the title of Samuel White to certain real estate conveyed to him by Hugh McMullen, an alien," Messrs. Anthon, J. Benedict and Robinson.

"An act to amend the act entitled, 'An act to provide for the incorporation of villages,' passed Dec. 7, 1847, so far as relates to the village of Cohoes," the delegation from Albany co.

"An act to authorise the supervisors of the towns of Fishkill and Poughkeepsie to borrow money to build a bridge over the Wappinger's creek at Wappinger's falls," the delegation from Dutchess co.

"An act concerning the rank of officers of engineers of the militia of New-York," Messrs. Harris, Elderkin, and Dennison.

"An act to enable religious societies to provide for their common expenses," Messrs. H. Harris, Fisk and Ward.

"An act to incorporate the Orient wharf company," Messrs. Tutbill, Bottum and E. T. Smith.

"An act to facilitate the construction of the Lewiston railroad, and to authorise the Buffalo and Niagara Falls railroad company and the Lewiston railroad company to unite in one company," Messrs. Bird, Burroughs and Moss.

"An act to enable the Rochester and Niagara Falls railroad company to straighten and otherwise improve the track of their road," Messrs. Moss, Varnum and Burroughs.

"An act to revive and extend the act to incorporate the Unadilla bridge company," Messrs. Wright, Barnes and Gleason.

"An act to authorise the common council of the city of Rochester to widen the ally leading from court street to the county jail in said city," Messrs. Fitzbush, Corser and Lyon.

"An act to amend the act entitled, 'An act to incorporate the village of Astoria,' passed April 12, 1839," Messrs. Maurice, Blackstone and Severance.

"An act to authorise the Fort Plain and Cherry Valley plank road company to borrow money," Messrs. Heath, Graham and Douglass.

"An act for the presentation of a copy of the Natural History of this State to the library of the executive mansion at Washington," Messrs. Varnum, H. Harris and Fitzbush.

"An act to release the interest of the State in certain real estate, of which Edward Farley died seised to Jane Farley and others, and to remove disability of alienism," Messrs. Maurice, E. T. Smith and Hewit.

"An act to provide for draining certain lands in the town and city of Oswego," the delegation from Oswego co.

"An act to amend an act entitled, 'An act in relation to the terms of the supreme court, held in the city of Albany,' passed March 6, 1849," Messrs. H. Harris, A. Smith and Ingersoll.

"An act for the preservation of fish in Oneida lake," the delegation from Oneida co.

"An act in relation to the Rome and Oswego road company," Messrs. Brayton, Rouse and Lewis.

"An act in relation to the Newtown and Maspeth plank road company," Messrs. Maurice, Tutbill and Baker.

"An act to amend an act entitled, 'An act to organise a separate battalion in the county of Richmond,' passed March 23, 1850," the delegation from Richmond co.

"An act to authorise Phineas B. Cook to establish and continue a ferry across the Genesee river, from the village of Charlotte at the mouth thereof to the opposite shore," Messrs. Fitzbush, Fordyce and Rowe.

"An act requiring the county treasurer of the county of Fulton to refund and pay over certain surplus school moneys to the supervisors, overseers of the poor and commissioners of highways of certain towns in said county," the delegation from Fulton and Hamilton.

"An act to change the name of Livingston Conley to Livingston Thorn," the delegation from Queens co.

"An act to incorporate the New-York house and school of industry," Messrs. Ward, Varnum and Greene.

"An act to authorise the commissioners of the land office to correct errors in the sale of lands," Messrs. Brayton, W. F. Russell and J. Benedict.

"An act in relation to the road district in the village of Prattsburgh, in the county of Steuben," the delegation from Steuben co.

"An act to amend the act entitled, 'An act to provide for the incorporation of villages, passed December 7, 1847, as far as relates to the village of Corning in the county of Steuben,' the delegation from Steuben co.

"An act in relation to the width of highways in the town of Ghent," the delegation from Columbia co.

"An act to release the interest of the State in certain real estate in the county of Erie, to Erasta Ann Wright only child of the late Erastus B. Wright, an alien, and to authorise her to take, hold and convey the same," Messrs. Atwood, Cady and Bird.

"An act to amend the act establishing the Poughkeepsie and New Paltz company," Messrs. Townsend, Underwood and Briggs.

"An act to change the name of Elisha Brown Hogmire to Elisha Brown Hogmire Boyd," Messrs. Townsend, Moss and Ingersoll.

"An act in relation to the attendance of grand jurors at courts of sessions," Messrs. J. Benedict, Moss and Le Roy.

"An act relating to the courts of general and special sessions of the peace, in and for the city and county of New-York," the delegation from New-York.

"An act to amend an act entitled, 'An act for the more effectual collection of taxes and assessments in the city of New-York, passed April 12, 1816,' the delegation from New-York.

"An act in relation to the village of Fort Plain," Messrs. Heath, Snell and Ingersoll.

"An act to authorise the commissioners of highways of the town of Wilna to lay out a public highway less than three rods wide," Messrs. Pool, Belknap and French.

"An act authorising the trustees of White Plains academy to sell and dispose of their academy and the lot of ground connected therewith on which the same is situated," Messrs. T. H. Benedict, Colvin and Briggs.

"An act to amend the charter of the village of Herkimer," Messrs. Wooster, Gilbert and Horton.

"An act to amend an act entitled, 'An act to establish a free school in district number three in the town of Newtown,' passed March 16, 1850," the delegation from Queens co.

"An act to amend an act for the incorporation of villages, passed December 7, 1847," Messrs. Bird, Moss and Severance.

"An act to amend the act in relation to the village of Fort Ann, passed March 20, 1820," the delegation from Washington co.

"An act to authorise the Maspeth avenue and toll bridge company to mortgage their corporate property in order to raise money to enable them to plank their road," the delegation from Queens co.

"An act to provide for the election of trustees of the Methodist Episcopal society of the village of Sandy Hill and its vicinity," Messrs. Farr, Miles and Whiteside.

"An act to incorporate the Ishua Hydraulic company," Messrs. Severance, A. A. Gregory and Douglass.

"An act to constitute that part of the town of Mexico, Oswego co., lying within the corporate limits of said village a separate road district," Messrs. Lewis, Hatch and Dennison.

"An act to provide for building a bridge on the site of the Oswego Falls bridge," the delegation from Oswego co.

"An act in relation to the Oswego county agricultural society," the delegation from Oswego co.

"An act to extend the act in relation to suits by and against joint stock companies and associations to companies having a joint or common interest in property," Messrs. H. Harris, Patdee and A. Smith.

"An act to provide for the election of recorders in cities," Messrs. H. Harris, Corser and Pardee.

"An act to amend the act entitled, 'An act to establish a court of special sessions in and for the city of Albany, and to confer further judicial powers upon the recorder of said city,' passed March 27, 1849," the delegation from Albany co.

"An act to annul a part of the Eastern Union turnpike road," Messrs. Lesley, Backhouse and O. C. Thompson.

"An act to regulate the planting and taking of oysters and other shell fish in the Harlem river and the creeks of Westchester county," Messrs. W. S. Gregory, Briggs and Robinson.

"An act to authorise the city of Troy and certain railroad corporations to subscribe for and become the owners of stock for the construction of a railroad through the whole or some portion of the city of Troy," Messrs. Lesley, Wakeman and Le Roy.

"An act to incorporate the Hicksville and Cold Spring branch railroad company, and to authorise the Long Island railroad company to operate the branch road," the delegations from Queens and Suffolk counties.

"An act to incorporate the Auburn water works company," Messrs. Underwood, Bradley and Brayton.

"An act for the relief of Moses L. Martin," Messrs. Campbell, Maurice and Wheeler.

"An act to promote medical inquiry and instruction," Messrs. Tuthill, Dennison and Ward.

"An act to give to the medical college power to found and maintain a hospital," Messrs. Tuthill, Elderkin and Bottum.

"An act making an appropriation for the support in part of certain hospitals," Messrs. Tuthill, Hatch and H. Harris.

Mr. Speaker then announced the special order.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to amend chapter thirteen of the Revised Statutes entitled, 'Of the assessment and collection of taxes.'"

"An act for the relief of the Buffalo and Black Rock railroad company."

"An act to amend an act relating to the redemption of bank notes, passed May 4, 1840."

"An act to provide for removing obstructions from the outlet of Cayuga lake and for the lowering of said lake."

And after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Elderkin, from said committee, reported that the committee had gone through said second mentioned bill, and agreed to the same with amendments, which report was agreed to.

Ordered, That the said bill be engrossed for a third reading.

Mr. Elderkin, from said committee, reported progress on said first and two last mentioned bills, and asked and obtained leave to sit again.

Mr. Elderkin reported that the committee had had also under consideration the bill entitled, "An act to release the interest of the State in certain real estate of which John Whittingham died seised to Lydia Whittingham his widow," had gone through said bill, and agreed to the same without amendment, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. A. Smith,

Resolved, That the tax bill be made the special order for to morrow at four o'clock p. m.

Mr. Speaker presented the report of the commissioners appointed to take charge of the publication of the geological report and to pay certain claims against the State.

Mr. Speaker having announced that there were now more than ten bills ready for a third reading.

Mr. Townsend moved that to morrow immediately after the reading of the journal be set apart for such third reading.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Townsend, and it was determined in the affirmative.

By unanimous consent,

In pursuance of previous notice, and on motion of Mr. A. Smith.

Resolved; That the fourth rule of the House be and the same is hereby suspended so far as relates to the bill entitled, "An act to authorise the comptroller to loan \$4,500 to the town of Westfield, Chautauque county, for the purpose of building a bridge over Chautauque creek," and that the same be referred to a select committee to report complete.

Mr. Fordyce, from the committee on engrossed bills, reported as correctly engrossed; the bills entitled as follows:

"An act to alter the map or plan of the city of New-York by extending Washington street, in said city from its present termination at Gansevoort street to Twelfth street."

"An act to confirm the title of Anna Mariah Smith to certain real estate in the county of Erie."

"An act to authorise the commissioners of the land office to adjust certain claims to a peice of land belonging to the people of this State, in the town of Wolcott, by sale or otherwise."

"An act to amend the act to combine into one act the several acts

relating to the city of Albany, passed April 12, 1842, and the several acts amendatory thereof."

"An act for the relief of certain citizens of Oswego."

"An act to facilitate the proof of the payment of debts."

"An act to authorise the Durhamville and Wood Creek plank road company to take toll upon their road."

"An act to amend an act to incorporate the New-York gallery of Fine Arts, passed May 13, 1845."

"An act authorising the directors of the Russia and North Gage plank road co. to borrow six thousand dollars and assess the stockholders for the payment of the same."

"An act to amend the act entitled, 'An act to organize the State Lunatic Asylum, and more effectually to provide for the care, maintenance and recovery of the insane,' passed April 7, 1842."

"An act declaratory of the construction of section fifty-three, of article four, of title three, of chapter one, of part four, of the Revised Statutes."

"An act authorising and requiring the board of supervisors of the county of Oneida to levy a tax on the inhabitants of the city of Utica and town of Deerfield, to pay for reconstructing Miller's bridge across the Mohawk river, between the city of Utica and said town of Deerfield."

"An act in relation to plank roads and turnpike roads."

"An act to incorporate the Franklinite company for the exportation and manufacturing of the Franklinite and other ores."

"An act declaring valid the proceedings of the superintendents of the poor of the county of Niagara, and the effect of certain proceedings of the board of supervisors of said county."

"An act to authorise the election of a supervisor in each ward of the city of Utica."

"An act for the relief of the association for the benefit of colored orphans in the city of New-York."

"An act to provide for the appraisal and payment of canal damage to Reuben Lyon."

On motion of Mr. O. Allen,

The House then, at fifteen minutes past seven o'clock, adjourned.

TUESDAY, APRIL 1, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Palmer.

In pursuance of previous notice, Mr. O. Allen moved that the first rule of the House which relates to the reading of the journal be suspended.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the negative.

The minutes of yesterday having been read,

Mr. Burroughs moved to amend them as follows: in the resolution which relates to making the third reading of bills the special order for Tuesday, strike out the words "immediately after the reading of the journal," and insert "12 o'clock."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the negative.

The minutes were then approved.

The House proceeded under the joint rule to the third reading of bills.

The Senate bill entitled, "An act to amend an act entitled, 'An act concerning the district attorney in the county of Ulster,' passed May 14, 1845," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Briggs	Gleason	Loggett	Sherman
O. Allen	Burroughs	Graham	Le Roy	Shultes
Anthon	Bushnell	A. A. Gregory	Lesley	Sickles
Atwood	Cady	W. S. Gregory	Macomber	A. Smith
R. Babcock	Campbell	Greene	Maurice	Stewart
J. W. Babcock	G. Clark	H. Harris	Miles	Stilwell
Backhouse	Colvin	L. Harris	Moss	Stratton
Baker	Corser	Hatch	Pardee	Speaker
Barnes	Dennison	Heath	Pool	Tuthill
Belknap	Dewey	Higby	Rider	Underwood
J. Benedict	Dougherty	Hinds	Rowe	Wakeman
Bird	Doyle	Hoppin	Rumsey	Ward
Blackstone	Elderkin	Humphrey	W. F. Russell	Wooster
Bottum	Farr	Jayne	Ryan	Wright
Bradley	Fisk	Kellogg	Severance	Yeomans
Brayton	Fitzhugh	Lawyer		

78

Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have passed the same without amendment.

Mr. Townsend moved to take from the table the motion to reconsider the vote on the final passage of the bill entitled, "An act to amend section twenty-fourth, of article third, title first, part second, of the Revised Statutes, relating to the discharge of insolvent debtors."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Townsend, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said motion to reconsider, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	Hatch	Miles	A. Smith
O. Allen	G. Clark	Heath	Minier	E. T. Smith
Atwood	Colvin	Higby	Moss	Stewart
R. Babcock	Corser	Hinds	Noble	Stilwell
J. W. Babcock	Dennison	Horton	Pardee	Stratton
Backhouse	Dewey	Hoppin	E. Perry	Speaker
Baker	Dougllass	Humphrey	Pool	Townsend
Barnes	Elderkin	Ingersoll	Rider	Tuthill
Belknap	Farr	Jayne	Rouse	Varnum
J. Benedict	Fitzhugh	Kellogg	Rowe	Wakeman
Bird	Gilbert	Langdon	Rumsey	Ward
Blackstone	Graham	Le Roy	W. F. Russell	Welden
Bottum	A. A. Gregory	Lesley	Ryan	Wheeler
Briggs	W. S. Gregory	Lewis	Sherman	Wooster
Burrongs	Greene	McLouth	Shultes	Wright
Bushnell	H. Harris	Macomber	Sickles	Yeomans
Cady	L. Harris	Maurice		

83

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Campbell	Graham	Lewis	Sherman
O. Allen	Chamberlin	A. A. Gregory	McLouth	Shultes
Antho	G. Clark	W. S. Gregory	Macomber	Sickles
Atwood	Colvin	Greene	Maurice	A. Smith
J. W. Babcock	Corser	H. Harris	Miles	E. T. Smith
Backhouse	Dennison	L. Harris	Minier	Stilwell
Baker	Dewey	Hatch	Moss	Speaker
Barnes	Dougherty	Hewit	Noble	A. A. Thompson
Belknap	Dougllass	Hinds	Pardee	Townsend
J. Benedict	Doyle	Horton	E. Perry	Tuthill
Bird	Elderkin	Hoppin	Rider	Varnum
Blackstone	Farr	Humphrey	Rouse	Wakeman
Bottum	Ferris	Ingersoll	Rowe	Welden
Brayton	Fisk	Jayne	Rumsey	Wheeler
Briggs	Fitzhugh	Kellogg	W. F. Russell	Wooster
Bushnell	Fordyce	Le Roy	Ryan	Wright
Cady	Gilbert	Lealey	Severance	Yeomans

85

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

A message from the Senate was received and read, informing that they had passed, without amendment, the bill entitled as follows :

"An act for the relief of William Crowther."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. O. Allen moved to take from the table the bill entitled, "An act to secure for this State an agent to the World's Fair at London, of 1851, who shall receive a sufficient remuneration."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the Senate's amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 76 }
{ NOES 01 }

Those who voted in the affirmative are,

H. J. Allen	Bushnell	Fitzhugh	Lawyer	Rumsey
O. Allen	Cady	Fordyce	Le Roy	W. F. Russell
Antho	Campbell	Gleason	Lesley	Ryan
Atwood	Chamberlin	W. S. Gregory	Lewis	Severance
R. Babcock	G. Clark	Greene	McLouth	A. Smith
J. W. Babcock	Colvin	H. Harris	Macomber	Swords
Backhouse	Corser	L. Harris	Miles	Speaker
Baker	Dennison	Hatch	Moss	Tuthill
Barnes	Dewey	Heath	Noble	Underwood
Belknap	Douglass	Hinds	Pardee	Varnum
J. Benedict	Doyle	Horton	E. Perry	Ward
Bird	Elderkin	Hoppin	Pool	Welden
Bottum	Farr	Humphrey	Rider	Wheeler
Bradley	Ferris	Ingersoll	Rouse	Wooster
Brayton	Fisk	Kellogg	Rowe	Yeomans
Burrongs				

76

For the negative,

E. T. Smith

1

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Varnum moved to take from the table the motion to reconsider the vote on the final passage of the bill entitled, "An act in relation to mortgages taken by the commissioners for loaning certain moneys belonging to the United States."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Varnum, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said motion to reconsider, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 73 }
{ NOES 06 }

Those who voted in the affirmative are,

H. J. Allen	Campbell	A. A. Gregory	Miles	Stilwell
Antho	Chamberlin	W. S. Gregory	Minier	Swords
R. Babcock	G. Clark	Greene	Moss	Speaker
J. W. Babcock	Colvin	L. Harris	Noble	A. A. Thompson
Baker	Cooke	Hatch	Pardee	Tuthill
Barnes	Corser	Higby	E. Perry	Underwood
Belknap	Dennison	Hinds	Robinson	Varnum

J. Benedict	Dewey	Horton	Rouse	Wakeman
Bird	Dougherty	Hoppin	Rowe	Ward
Blackstone	Elderkin	Humphrey	Ryan	Welden
Bradley	Farr	Kellogg	Severance	Wheeler
Brayton	Ferris	Le Roy	Sherman	Wooster
Briggs	Fitzhugh	McLouth	E. T. Smith	Wright
Bushnell	Gilbert	Macomber	Stewart	Yeomans
Cady	Graham	Maurice		

73

Those who voted in the negative are,

Douglass	Jayne	W. F. Russell	A. Smith	Stratton
Doyle				

6

On motion of Mr. Varnum, and by unanimous consent,

Said bill was recommitted to a select committee to report complete.

The bill entitled, "An act for the relief of the association for the benefit of colored orphans in the city of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 74 }
{ NOES 04 }

Those who voted in the affirmative are,

H. J. Allen	Cooke	H. Harris	Noble	Stratton
J. W. Babcock	Corser	L. Harris	Pardee	Swords
Baker	Dennison	Hewit	Pool	Speaker
Barnes	Dewey	Higby	Rider	A. A. Thompson
Belknap	Dougherty	Hinds	Robinson	Townsend
J. Benedict	Doyle	Humphrey	Rouse	Tuthill
Blackstone	Farr	Jayne	Rowe	Underwood
Bradley	Ferris	Kinsley	Rumsey	Varnum
Brayton	Fisk	Kellogg	Ryan	Wakeman
Briggs	Fitzhugh	Le Roy	Severance	Ward
Burroughs	Gilbert	McLouth	Sherman	Welden
Bushnell	Gleason	Maurice	Shultes	Wooster
Chamberlin	Graham	Miles	A. Smith	Wright
G. Clark	W. S. Gregory	Minier	E. T. Smith	Yeomans
Colvin	Greene	Moss	Stewart	

74

Those who voted in the negative are,

Atwood	Elderkin	Macomber	W. F. Russell
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4

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

A message from the Governor was received and read, in the words following, to wit :

EXECUTIVE DEPARTMENT, {
Albany, March 31, 1851. }

To the Assembly :

I have this day approved and signed the following entitled bills:

"An act further to amend the charter of the Attica and Hornellsville railroad company, passed May 14, 1845, so as to authorize said

company to extend the road to the city of Buffalo, and to change the corporate name."

"An act to authorise the Buffalo and Rochester railroad company to sell and convey to the Attica and Hornelsville railroad company, the whole or any portion of its real estate, railroad track, depots and appendages, in or from the village of Attica to the city of Buffalo."

WASHINGTON HUNT.

The bill entitled, "An act to amend the act to combine into one act the several acts relating to the city of Albany, passed April 12, 1842, and the several acts amendatory thereof," coming up for its third reading.

Mr. E. Perry moved to recommit the same.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. E. Perry, and it was determined in the negative.

Mr. E. Perry moved to recommit to the committee of the whole.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. E. Perry, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 65 }
{ NOES 28 }

Those who voted in the affirmative are,

O. Allen	Cady	Gilbert	Kellogg	Shultes
Atwood	Campbell	Gleason	Lesley	A. Smith
J. W. Babcock	Chamberlin	Graham	McLouth	Swords
Backhouse	G. Clark	A. A. Gregory	Macomber	Speaker
Baker	Cooke	W. S. Gregory	Miles	Townsend
Belknap	Corser	Greene	Moss	Tuthill
J. Benedict	Dewey	H. Harris	Pardee	Underwood
Bird	Douglass	L. Harris	Rouse	Varnum
Blackstone	Farr	Hewit	Rowe	Wakeman
Bottum	Ferris	Hinds	Rumsey	Ward
Bradley	Fisk	Hoppin	Ryan	Welden
Brayton	Fitzhugh	Humphrey	Severance	Wheeler
Briggs	Fordyce	Ingersoll	Sherman	Yeomans 65

Those who voted in the negative are,

H. J. Allen	Dougherty	Lawyer	Rider	Stilwell
R. Babcock	Elderkin	Le Roy	Robinson	Stratton
Barnes	Hatch	Lewis	W. F. Russell	A. A. Thompson
Bushnell	Higby	Maurice	E. T. Smith	O. C. Thompson
Colvin	Horton	E. Perry	Stewart	Wooster
Dennison	Jayne	Pool		28

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Fordyce, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows, to wit:

"An act for the relief of Patrick Rogers."

"An act to provide for the Erie canal enlargement and the completion of the Genesee Valley and Black river canals."

"An act to amend an act to incorporate the city of Syracuse, passed December 14, 1847, and also the act amending the same, passed April 5, 1849, and also the act amending said acts, passed April 4, 1850."

"An act for the relief of Andrew Rockwell and Simeon Guthrie."

"An act to provide for the laying out and constructing the Colton and Long Lake road."

"An act to authorise the Northern railroad company to take stock in a railroad to Potsdam village, or to construct the same as a branch."

"An act to pay Russell B. Burch for costs and expenses incurred by him in consequence of retaining certain moneys while acting as school commissioner for the town of New Berlin."

"An act for the relief of the free library of the general society of mechanicks and tradesmen of the city of New-York."

"An act in relation to the State Arsenal in the city of New-York."

"An act appointing commissioners to lay out a public highway in the towns of Westmoreland, Vernon and Verena in the county of Oneida."

"An act in relation to the Onondaga salt springs."

"An act for the relief of Bethel Judd."

"An act to enable the trustees of consolidated school district number two in Batavia, to levy a tax for the support of a school therein."

"An act to change in part the northerly bounds of the village of Ulster."

"An act authorising the appraisal and payment of certain damages arising from the construction of an aqueduct across the Chuctenunda creek."

Ordered, That said bills be read a third time.

The bill entitled, "An act authorising the directors of the Russia and North Gage plank road company to borrow six thousand dollars, and assess the stockholders for the payment of the same," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 63 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Cady	Fitzhugh	Lesley	A. Smith
O. Allen	Campbell	Gilbert	McLouth	E. T. Smith
J. W. Babcock	Chamberlin	Gleason	Noble	Stilwell
Barnes	G. Clark	Graham	Peel	Swanda

Belknap	Colvin	A. A. Gregory	Rouse	Speaker
J. Benedict	Cooke	Greene	Rowe	Townsend
Bird	Corser	H. Harris	Rumsey	Tuthill
Blackstone	Dennison	L. Harris	W. F. Russell	Underwood
Bottum	Dewey	Hewit	Ryan	Varnum
Bowne	Douglass	Hinds	Severance	Ward
Bradley	Doyle	Horton	Sherman	Welden
Brayton	Farr	Hoppin	Shultes	Wooster
Briggs	Ferris	Humphrey	Sickles	Yeomans
Bushnell	Fisk	Kellogg		68

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to incorporate the Franklinite company for the exportation and manufacturing of the Franklinite and other ores," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Bushnell	Fordyce	Le Roy	Shultes
O. Allen	Cady	Gilbert	Lesley	A. Smith
R. Babcock	Campbell	Gleason	Lewis	E. T. Smith
J. W. Babcock	Chamberlin	A. A. Gregory	McLouth	Stewart
Backhouse	Cooke	Greene	Maurice	Stilwell
Baker	Corser	H. Harris	Noble	A. A. Thompson
Barnes	Dennison	L. Harris	Pardee	Tuthill
Belknap	Dewey	Hewit	E. Perry	Underwood
J. Benedict	Dougherty	Hinds	Rider	Varnum
Bird	Douglass	Hoppin	Robinson	Wakeman
Blackstone	Doyle	Humphrey	Rouse	Ward
Bottum	Elderkin	Ingersoll	Rowe	Welden
Bradley	Farr	Jayne	Rumsey	Wheeler
Brayton	Ferris	Kellogg	W. F. Russell	Yeomans
Briggs	Fisk	Lawyer	Sherman	74

Ordered, That the Clerk return the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act extending the time for continuing and regulating a ferry across the Hudson river in the town of Phillips," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 68 }
{ NOES 07 }

Those who voted in the affirmative are,

H. J. Allen	Campbell	H. Harris	Lyon	Sickles
O. Allen	G. Clark	L. Harris	McLouth	A. Smith

J. W. Babcock	Cooke	Hatch	Maurice	E. T. Smith
Backhouse	Corser	Hewit	Minier	Stewart
Baker	Dennison	Hinds	Pardee	Stilwell
J. Benedict	Dewey	Horton	E. Perry	Stratton
Bird	Dougherty	Hoppin	Pool	Swords
Bottum	Douglass	Humphrey	Rider	A. A. Thompson
Bradley	Doyle	Ingersoll	Rouse	Townsend
Brayton	Elderkin	Jayne	Rowe	Underwood
Briggs	Farr	Kellogg	W. F. Russell	Ward
Burroughs	Ferris	Lawyer	Ryan	Wooster
Bushnell	Graham	Le Roy	Sherman	Wright
Cady	Greene	Lesley		

68

Those who voted in the negative are,

Belknap	Gleason	Shultes	Speaker	Tuthill
Blackstone	Rumsey			

7

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. H. Harris moved to take from the table the bill entitled, "An act to fix the salary of the clerk of the canal appraisers."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. H. Harris, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the Senate's amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 76 }
{ NOES 01 }

Those who voted in the affirmative are,

H. J. Allen	G. Clark	A. A. Gregory	Maurice	E. T. Smith
Atwood	Cooke	Greene	Miles	Stewart
J. W. Babcock	Corser	H. Harris	Minier	Stilwell
Baker	Dennison	L. Harris	Noble	Swords
Barnes	Dougherty	Hewit	Pardee	A. A. Thompson
Belknap	Douglass	Hinds	Pool	Townsend
J. Benedict	Doyle	Horton	Rider	Tuthill
Bird	Farr	Hoppin	Rouse	Underwood
Blackstone	Ferris	Humphrey	Rowe	Varnum
Bottum	Fisk	Ingersoll	W. F. Russell	Wakeman
Bradley	Fitzhugh	Kellogg	Ryan	Ward
Brayton	Fordyce	Le Roy	Severance	Welden
Briggs	Gilbert	Lesley	Sherman	Wheeler
Cady	Gleason	Lewis	Shultes	Wooster
Campbell	Graham	McLouth	A. Smith	Wright
Chamberlin				

76

For the negative,

Elderkin

1

Ordered, That the Clerk deliver said bill to the Governor.

The bill entitled, "An act to amend the several acts incorporating the village of Owego in the county of Tioga," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and the vote was as follows :

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative are,

Anthon	Dennison	L. Harris	Noble	Stilwell
J. W. Babcock	Dewey	Hatch	Pardee	Stratton
Backhouse	Dougherty	Hewit	Pool	Swords
Baker	Douglass	Hinds	Rider	Speaker
Belknap	Doyle	Horton	Rouse	A. A. Thompson
J. Benedict	Farr	Hoppin	Rewe	Tuthill
Bird	Ferris	Humphrey	Rumsey	Underwood
Blackstone	Fisk	Ingersoll	W. F. Russell	Varnum
Bottum	Fitzhugh	Kellogg	Ryan	Wakeman
Brayton	Fordyce	Lawyer	Severance	Ward
Briggs	Gleason	Le Roy	Sherman	Welden
Bushnell	Graham	Lesley	Shultes	Wheeler
Cady	A. A. Gregory	McLouth	A. Smith	Wooster
G. Clark	W. S. Gregory	Maurice	E. T. Smith	Wright
Corser	H. Harris	Minier	Stewart	

74

No quorum voting, Mr. W. F. Russell moved to lay said bill on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. W. F. Russell, and it was determined in the affirmative.

The bill entitled, "An act to amend an act to incorporate the New-York gallery of Fine Arts, passed May 13, 1845," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 68 }
{ NOES 00 }

Those who voted in the affirmative are,

Anthon	Dougherty	Hatch	Robinson	Stillwell
J. W. Babcock	Doyle	Hewit	Rouse	Stratton
Backhouse	Elderkin	Higby	Rowe	Swords
Belknap	Farr	Humphrey	Rumsey	Speaker
J. Benedict	Ferris	Ingersoll	W. F. Russell	A. A. Thompson
Blackstone	Fisk	Kellogg	Ryan	Tuthill
Bottum	Fordyce	Le Roy	Severance	Underwood
Brayton	Gleason	Lewis	Sherman	Varnum
Briggs	Graham	McLouth	Shultes	Wakeman
Bushnell	A. A. Gregory	Macomber	Sickles	Ward
G. Clark	W. S. Gregory	Noble	A. Smith	Welden
Colvin	Greene	Pardee	E. T. Smith	Wooster
Dennison	H. Harris	Pool	Stewart	Wright
Dewey	L. Harris	Rider		

68

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend an act entitled, 'An act in relation to the assessment and collection of taxes in the city of New-York, and to amend the several acts in relation thereto,' passed March 10, 1850," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 67 }
{ NOES 01 }

Those who voted in the affirmative are,

Antho	Dennison	Hewit	Moss	E. T. Smith
J. W. Babcock	Dewey	Higby	Noble	Stewart
Baker	Douglass	Hinds	Pardee	Stratton
Barnes	Elderkin	Hoppin	E. Perry	Swords
Belknap	Farr	Humphrey	Pool	Speaker
J. Benedict	Ferris	Ingersoll	Rouse	Tuthill
Bird	Fisk	Kellogg	Rowe	Underwood
Blackstone	Graham	Le Roy	Rumsey	Varnum
Bottum	A. A. Gregory	Lesley	W. F. Russell	Wakeman
Bradley	W. S. Gregory	Lewis	Ryan	Ward
Brayton	Greene	McLouth	Severance	Welden
Briggs	H. Harris	Macomber	Sherman	Wooster
Colvin	L. Harris	Maurice	A. Smith	Yeomans
Corser	Hatch			

67

For the negative,

Dougherty

1

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act declaratory of the construction of section fifty-three, of article four, of title three, of chapter one, of part four of the Revised Statutes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 68 }
{ NOES 00 }

Those who voted in the affirmative are,

Antho	Cooke	Hewit	Rider	Stratton
J. W. Babcock	Corser	Hinds	Robinson	Swords
Backhouse	Dewey	Hoppin	Rouse	Speaker
Barnes	Dougherty	Ingersoll	Rowe	A. A. Thompson
Belknap	Douglass	Kellogg	Rumsey	Tuthill
J. Benedict	Doyle	Le Roy	W. F. Russell	Underwood
Bird	Elderkin	Lewis	Ryan	Varnum
Blackstone	Farr	McLouth	Sherman	Wakeman
Bottum	Ferris	Miles	Sickles	Ward
Bradley	Fisk	Minier	A. Smith	Welden
Brayton	Graham	Moss	E. T. Smith	Wooster

Briggs	A. A. Gregory	Noble	Stewart	Wright
Bushnell	Hatch	Pardee	Stilwell	Yeomans
Colvin	Heath	Pool		

68

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend the charter of the village of Saratoga Springs," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative are,

Anthou	Colvin.	Greene	Moss	Stewart
Atwood	Cooke	H. Harris	Noble	Stilwell
Backhouse	Corser	L. Harris	Pardee	Stratton
Baker	Dennison	Hatch	E. Perry	Swords
Barnes	Dewey	Heath	Pool	Speaker
Belknap	Douglass	Hewit	Robinson	Tuthill
Bird	Doyle	Hinds	Rouse	Underwood
Blackstone	Elderkin	Hoppin	Rowe	Varnum
Bottum	Farr	Kellogg	Rumsey	Wakeman
Bradley	Fisk	Le Roy	Ryan	Ward
Brayton	Fordyce	Lesley	Severance	Welden
Briggs	Gilbert	McLouth	Sherman	Wooster
Bushnell	Graham	Macomber	Sickles	Wright
Campbell	A. A. Gregory	Miles	A. Smith	Yeomans
Chamberlin	W. S. Gregory	Minier	E. T. Smith	

74

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The Senate bill entitled, "An act granting to Phillip A. Strong the right of establishing a ferry across the Chautauque lake," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 73 }
{ NOES 00 }

Those who voted in the affirmative are,

Anthou	Bushnell	Gleason	Macomber	A. Smith
Atwood	Chamberlin	Graham	Minier	E. T. Smith
J. W. Babcock	G. Clark	A. A. Gregory	Moss	Stilwell
Backhouse	Colvin	Greene	Pardee	Stratton
Baker	Cooke	H. Harris	Pool	Swords
Barnes	Corser	L. Harris	Rider	Speaker
Belknap	Dennison	Hatch	Rouse	A. A. Thompson
J. Benedict	Dewey	Heath	Rowe	Tuthill
Bird	Douglass	Hinds	Rumsey	Underwood
Blackstone	Doyle	Hoppin	W. F. Russell	Wakeman

Bottom	Elderkin	Ingersoll	Ryan	Ward
Bradley	Farr	Kellogg	Severance	Welden
Brayton	Ferris	Le Roy	Sherman	Wooster
Briggs	Fisk	Lesley	Sickles	Yeomans
Burroughs	Gilbert	McLouth		

73

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to alter the map or plan of the city of New-York by extending Washington street in said city, from its present termination at Gansevoort street to Twelfth street," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	G. Clark	H. Harris	Miles	E. T. Smith
O. Allen	Colvin	L. Harris	Moss	Stewart
Atwood	Corser	Hatch	Noble	Stilwell
J. W. Babcock	Dewey	Hewit	Pardee	Stratton
Backhouse	Dougherty	Higby	Pool	Swords
Baker	Douglass	Hinds	Rider	Speaker
Barnes	Doyle	Horton	Robinson	A. A. Thompson
Belknap	Elderkin	Hoppin	Rouse	Tuthill
J. Benedict	Ferris	Ingersoll	Rowe	Underwood
Bird	Fisk	Kellogg	Rumsey	Wakeman
Blackstone	Fordyce	Le Roy	W. F. Russell	Ward
Bottom	Gilbert	Lewis	Ryan	Welden
Bradley	Gleason	McLouth	Severance	Wooster
Brayton	Graham	Macomber	Sickles	Wright
Burroughs	A. A. Gregory	Maurice	A. Smith	Yeomans
Bushnell	Greene			

77

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The Senate bill entitled, "An act relative to Freeman's bridge company in the county of Schenectady," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 70 }
{ NOES 01 }

Those who voted in the affirmative are,

H. J. Allen	Colvin	H. Harris	Maurice	Sickles
O. Allen	Cooke	L. Harris	Miles	A. Smith
Atwood	Corser	Hatch	Minier	E. T. Smith
J. W. Babcock	Dewey	Hewit	Moss	Stewart
Backhouse	Dougherty	Higby	Pardee	Stilwell
Baker	Douglass	Hinds	Pool	Swords

Barnes	Doyle?	Horton	Rider	Speaker	
Belknap	Farr	Hoppin	Robinson	Underwood	
J. Benedict	Ferris	Ingersoll	Rowe	Wakeman	
Bird	Fisk	Kellogg	Rumsey	Ward	
Bottum	Gilbert	Le Roy	W. F. Russell	Welden	
Bradley	Gleason	Lewis	Ryan	Wooster	
Bushnell	A. A. Gregory	McLouth	Severance	Wright	
G. Clark	Greene	Macomber	Sherman	Yeomans	70

For the negative,

Brayton

1

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act for the relief of Patrick Rogers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 85 }
{ NOES 03 }

Those who voted in the affirmative are,

H. J. Allen	Campbell	Greene	Miles	A. Smith
O. Allen	G. Clark	H. Harris	Moss	E. T. Smith
Atwood	Colvin	L. Harris	Noble	Stewart
J. W. Babcock	Cooke	Hatch	Pardee	Stratton
Backhouse	Corser	Heath	E. Perry	Swords
Baker	Dennison	Hewit	Pool	Speaker
Barnes	Dougherty	Higby	Rider	A. A. Thompson
Belknap	Douglass	Hinds	Robinson	Townsend
J. Benedict	Doyle	Hoppin	Rouse	Tuthill
Bird	Elderkin	Ingersoll	Rowe	Underwood
Blackstone	Farr	Jayne	Rumsey	Wakeman
Bottum	Fisk	Kellogg	W. F. Russell	Ward
Bradley	Gilbert	Lesley	Ryan	Welden
Brayton	Gleason	Lewis	Severance	Wheeler
Briggs	Graham	McLouth	Sherman	Wooster
Burrongs	A. A. Gregory	Macomber	Shultes	Wright
Bushnell	W. S. Gregory	Maurice	Sickles	Yeomans

85

Those who voted in the negative are,

Le Roy Minier Stilwell

3

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

Mr. J. Benedict moved to take from the table the motion to reconsider the vote on the final passage of the Senate bill entitled, "An act to authorise the Butternuts and Oxford turnpike company to abandon a part of their road."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. J. Benedict, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said motion to reconsider, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 80 }
{ NOES 01 }

Those who voted in the affirmative are,

H. J. Allen	G. Clark	H. Harris	Minier	E. T. Smith
O. Allen	Colvin	Heath	Moss	Stewart
Anthon	Corser	Hewit	Noble	Stilwell
Atwood	Dennison	Higby	Pardee	Stratton
J. W. Babcock	Douglass	Hinds	E. Perry	Swords
Backhouse	Doyle	Horton	Pool	Speaker
Barnes	Farr	Hoppin	Rider	A. A. Thompson
Belknap	Ferris	Ingersoll	Rouse	Townsend
J. Benedict	Fisk	Kellogg	Rumsey	Underwood
Bird	Fordyce	Lawyer	W. F. Russell	Varnum
Bottum	Gilbert	Lesley	Ryan	Wakeman
Bradley	Gleason	Lewis	Severance	Welden
Brayton	Graham	McLouth	Sherman	Wheeler
Briggs	A. A. Gregory	Macomber	Shultes	Wooster
Burroughs	W. S. Gregory	Maurice	Sickles	Wright
Bushnell	Greene	Miles	A. Smith	Yeomans 80

For the negative,

L. Harris

1

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Dennison	Greene	Minier	E. T. Smith
O. Allen	Dewey	Hewit	Moss	Stewart
Atwood	Dougherty	Higby	Pardee	Stratton
J. W. Babcock	Douglass	Hinds	E. Perry	Swords
Backhouse	Doyle	Horton	Pool	Speaker
Barnes	Elderkin	Hoppin	Rider	A. A. Thompson
Belknap	Farr	Ingersoll	Robinson	Townsend
J. Benedict	Ferris	Kellogg	Rouse	Underwood
Bird	Feller	Lawyer	Rumsey	Varnum
Bottum	Fisk	Le Roy	W. F. Russell	Ward
Bradley	Fordyce	Lesley	Ryan	Welden
Brayton	Gilbert	Lewis	Severance	Wheeler
Briggs	Gleason	McLouth	Sherman	Wooster
Burroughs	Graham	Macomber	Shultes	Wright
G. Clark	A. A. Gregory	Maurice	Sickles	Yeomans
Colvin	W. S. Gregory	Miles	A. Smith	79

Ordered, That the Clerk return the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act declaring valid the proceedings of the Superintendents of the poor of the county of Niagara and the effect of certain proceedings of the board of supervisors of said county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Cady	Graham	Macomber	Siekles
O. Allen	Campbell	A. A. Gregory	Miles	A. Smith
Antho	G. Clark	Greene	Minier	E. T. Smith
Atwood	Colvin	H. Harris	Moss	Stewart
J. W. Babcock	Cooke	L. Harris	Noble	Stilwell
Backhouse	Corser	Hatch	Pardee	Stratton
Baker	Dewey	Hewit	E. Perry	Swords
Barnes	Dougherty	Higby	Pool	Speaker
Belknap	Douglass	Hinds	Rider	Tuthill
J. Benedict	Doyle	Hoppin	Rouse	Underwood
Bird	Elderkin	Humphrey	Rowe	Wakeman
Blackstone	Farr	Ingersoll	Rumsey	Ward
Bottum	Ferris	Kellogg	W. F. Russell	Wheeler
Bradley	Fisk	Lawyer	Ryan	Wooster
Brayton	Fordyce	Le Roy	Severance	Wright
Briggs	Gilbert	Lesley	Sherman	Yeomans
Burroughs	Gleason	McLouth	Shultes	

84

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Underwood moved to take from the table the bill entitled, "An act to amend the several acts incorporating the village of Owego in the county of Tioga."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Underwood, and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	G. Clark	A. A. Gregory	Macomber	A. Smith
O. Allen	Colvin	Greene	Minier	E. T. Smith
Antho	Cooke	H. Harris	Moss	Stewart
Atwood	Dennison	L. Harris	Pardee	Stilwell
J. W. Babcock	Dewey	Hatch	E. Perry	Stratton

Backhouse	Dougherty	Hewit	Pool	Swords
Baker	Douglass	Higby	Rider	Speaker
Barnes	Doyle	Hinds	Robinson	Tuthill
Belknap	Elderkin	Horton	Rouse	Underwood
J. Benedict	Farr	Hoppin	Rowe	Wakeman
Blackstone	Ferris	Ingersoll	Rumsey	Ward
Bottum	Fisk	Kellogg	W. F. Russell	Welden
Bradley	Fordyce	Le Roy	Severance	Wheeler
Brayton	Gilbert	Lesley	Sherman	Wooster
Briggs	Gleason	Lewis	Shultes	Wright
Burroughs	Graham	McLouth	Sickles	Yeomans
Campbell				

81

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to incorporate the Williamsburgh savings bank," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 81 }
{ NOES 01 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	A. A. Gregory	McLouth	E. T. Smith
O. Allen	G. Clark	Greene	Macomber	Stewart
Anthon	Colvin	H. Harris	Moss	Stilwell
Atwood	Cooke	L. Harris	Noble	Stratton
J. W. Babcock	Corser	Hatch	Pardee	Swords
Backhouse	Dennison	Hewit	E. Perry	Speaker
Baker	Dewey	Higby	Pool	A. A. Thompson
Barnes	Dougherty	Hinds	Rider	Tuthill
Belknap	Douglass	Horton	Robinson	Underwood
J. Benedict	Elderkin	Hoppin	Rouse	Varnum
Blackstone	Farr	Ingersoll	Rowe	Wakeman
Bottum	Ferris	Kellogg	Rumsey	Ward
Bradley	Fisk	Lawyer	Severance	Welden
Brayton	Fordyce	Lesley	Sherman	Wooster
Briggs	Gilbert	Lewis	Shultes	Wright
Bushnell	Gleason	Lyon	A. Smith	Yeomans
Campbell				

81

For the negative,

Le Roy

1

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to incorporate the Ulster and Tivoli ferry company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 70 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Briggs	Graham	McLouth	Sherman
O. Allen	G. Clark	A. A. Gregory	Maurice	Shultes
Anthon	Colvin	Greene	Noble	A. Smith
Atwood	Cooke	L. Harris	Pardee	E. T. Smith
J. W. Babcock	Corser	Hatch	E. Perry	Stewart
Backhouse	Dewey	Hewit	Pool	Stilwell
Barnes	Dougherty	Higby	Rider	Stratton
Belknap	Douglass	Hinds	Robinson	Swords
J. Benedict	Elderkin	Hoppin	Rouse	Tuthill
Bird	Farr	Ingersoll	Rowe	Underwood
Blackstone	Ferris	Kellogg	Rumsey	Wakeman
Bottum	Fisk	Lawyer	W. F. Russell	Wooster
Bradley	Gilbert	Lesley	Ryan	Wright
Brayton	Gleason	Lewis	Severance	Yeomans 70

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to authorise the Durhamville and Wood Creek plank road company to take toll upon their roads," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Campbell	W. S. Gregory	Miles	Stewart
O. Allen	G. Clark	Greene	Moss	Stilwell
Anthon	Colvin	H. Harris	Noble	Stratton
Atwood	Cooke	L. Harris	Pardee	Swords
J. W. Babcock	Corser	Hatch	E. Perry	Speaker
Backhouse	Davis	Hewit	Pool	A. A. Thompson
Baker	Dennison	Hinds	Rider	Townsend
Barnes	Dewey	Hoppin	Rouse	Tuthill
Belknap	Elderkin	Kellogg	Rowe	Underwood
J. Benedict	Farr	Lawyer	Rumsey	Varnum
Bird	Ferris	Le Roy	W. Russell	Wakeman
Blackstone	Fisk	Lesley	Ryan	Ward
Bottum	Fordyce	Lewis	Severance	Welden
Bradley	Gilbert	McLouth	Sherman	Wooster
Brayton	Gleason	Macomber	A. Smith	Wright
Briggs	Graham	Maurice	E. T. Smith	Yeomans
Bushnell	A. A. Gregory			82

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act in relation to the district attorney of the county of Kings," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 80 }
{ NOES 01 }

Those who voted in the affirmative are,

H. J. Allen	Burroughs	W. S. Gregory	Lewis	Sherman
O. Allen	G. Clark	Greene	McLouth	Shultes
Anthon	Colvin	H. Harris	Macomber	Sickles
Atwood	Cooke	L. Harris	Maurice	A. Smith
J. W. Babcock	Corser	Hatch	Minier	E. T. Smith
Backhouse	Dennison	Heath	Pardee	Stilwell
Baker	Dewey	Hewit	E. Perry	Stratton
Barnes	Douglass	Higby	Pool	Swords
Belknap	Farr	Hinds	Rider	Speaker
J. Benedict	Ferris	Horton	Robinson	Tuthill
Bird	Fisk	Hoppin	Rouse	Underwood
Blackstone	Fordyce	Jayne	Rowe	Wakeman
Bottum	Gilbert	Kellogg	Rumsey	Ward
Bradley	Gleason	Lawyer	W. F. Russell	Wooster
Brayton	Graham	Le Roy	Ryan	Wright
Briggs	A. A. Gregory	Lesley	Severance	Yeomans 80

For the negative,

Varnum 1

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act for the relief of certain citizens of Oswego," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Colvin	W. S. Gregory	Miles	E. T. Smith
O. Allen	Cooke	Greene	Minier	Stewart
Anthon.	Corser	L. Harris	Moss	Stilwell
Atwood	Dennison	Hatch	Noble	Stratton
J. W. Babcock	Dewey	Heath	Pardee	Swords
Backhouse	Dougherty	Hewit	E. Perry	Speaker
Baker	Douglass	Hinds	Pool	Townsend
Barnes	Doyle	Hoppin	Rider	Tuthill
Belknap	Elderkin	Kellogg	Rouse	Underwood
Bird	Farr	Lawyer	Rowe	Varnum
Blackstone	Ferris	Le Roy	Rumsey	Wakeman
Bottum	Fisk	Lesley	W. F. Russell	Ward
Bradley	Fordyce	Lewis	Severance	Welden
Brayton	Gilbert	McLouth	Sherman	Wooster
Burroughs	Gleason	Macomber	Sickles	Wright
Cady	Graham	Maurice	A. Smith	Yeomans
G. Clark	A. A. Gregory			82

Ordered, That the Clerk return the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act for the relief of Andrew Rockwell and Simeon Guthrie." was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 75 }
{ NOES 02 }

Those who voted in the affirmative are,

H. J. Allen	Corser	Greene	Minier	Sickles
O. Allen	Dennison	H. Harris	Moss	A. Smith
Anthon	Dewey	L. Harris	Noble	E. T. Smith
Atwood	Dougherty	Higby	Pardee	Stilwell
J. W. Babcock	Douglass	Hinds	E. Perry	Stratton
Backhouse	Doyle	Hoppin	Pool	Swords
Barnes	Farr	Ingersoll	Rider	Speaker
Belknap	Ferris	Kellogg	Rouse	A. A. Thompson
J. Benedict	Fisk	Lawyer	Rowe	Tuthill
Blackstone	Fitzhugh	Lesley	Rumsey	Underwood
Bottum	Gilbert	Lewis	W. F. Russell	Wakeman
Bradley	Gleason	McLouth	Ryan	Welden
Brayton	Graham	Macomber	Severance	Wooster
Colvin	A. A. Gregory	Maurice	Sherman	Wright
Cooke	W. S. Gregory	Miles	Shultes	Yeomans 75

Those who voted in the negative are,

Briggs	Varnum	2
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The Senate bill entitled, "An act to authorise a release of the amount due upon a decree against Henry Talmadge," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	Graham	McLouth	Shultes
O. Allen	G. Clark	A. A. Gregory	Macomber	Sickles
Anthon	Colvin	W. S. Gregory	Maurice	A. Smith
Atwood	Cooke	H. Harris	Miles	E. T. Smith
J. W. Babcock	Corser	L. Harris	Minier	Stewart
Backhouse	Dennison	Hatch	Moss	Stilwell
Baker	Dewey	Heath	Noble	Stratton
Barnes	Dougherty	Hewit	Pardee	Speaker
Belknap	Douglass	Higby	E. Perry	Townsend
J. Benedict	Doyle	Hinds	Pool	Tuthill
Bird	Elderkin	Horton	Rider	Underwood

Blackstone	Farr	Hoppin	Rouse	Varnum
Bottum	Ferris	Jayne	Rowe	Wakeman
Bradley	Fisk	Kellogg	Ramsey	Ward
Brayton	Fitzhugh	Lawyer	W. F. Russell	Welden
Briggs	Fordyce	Le Roy	Ryan	Wooster
Burroughs	Gilbert	Lesley	Severance	Wright
Bushnell	Gleason	Lewis	Sherman	Yeomans
Campbell				

'91

Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have passed the same without amendment.

The House took a recess until 4 o'clock p. m.

FOUR O'CLOCK, P. M.

The House again met.

The bill entitled, "An act to facilitate the proof of the payment of debts," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 71 }
{ NOES 01 }

Those who voted in the affirmative are,

O. Allen	Coffin	W. S. Gregory	Moss	Stewart
Atwood	Colvin	Greene	Noble	Speaker
J. W. Babcock	Cooke	H. Harris	Pardee	A. A. Thompson
Backhouse	Corsar	L. Harris	E. Perry	Townsend
Baker	Deanison	Hatch	Pool	Tuthill
Barnes	Dougherty	Heath	Rider	Underwood
Belknap	Douglass	Higby	Robinson	Varnum
J. Benedict	Doyle	Horton	Rouse	Wakeman
Blackstone	Elderkin	Hoppin	Rowe	Ward
Bradley	Farr	Humphrey	Ramsey	Welden
Brayton	Fisk	Jayne	W. F. Russell	Wheeler
Briggs	Fordyce	Kellogg	Sherman	Wooster
Burroughs	Gleason	Lesley	A. Smith	Wright
Campbell	A. A. Gregory	Maurice	E. T. Smith	Yeomans
G. Clark				

71

For the negative,

Ferris

1

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to incorporate the Utica art association for the promotion of the fine arts," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 76 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Cooke	L. Harris	Noble	Stratton
Atwood	Corser	Heath	Pardee	Swords
J. W. Babcock	Dennison	Higby	E. Perry	Speaker
Backhouse	Dougherty	Hinds	Pool	A. A. Thompson
Baker	Doyle	Horton	Robinson	Townsend
Barnes	Farr	Hoppin	Rouse	Tuthill
Belknap	Ferris	Humphrey	Rowe	Underwood
J. Benedict	Fisk	Kellogg	Rumsey	Varnum
Blackstone	Fordyce	Le Roy	W. F. Russell	Wakeman
Bottum	Gilbert	Lesley	Sherman	Ward
Bradley	Gleason	Lewis	Shultes	Weldon
Brayton	A. A. Gregory	McLouth	Sickles	Wheeler
Briggs	W. S. Gregory	Macomber	A. Smith	Wooster
Bushnell	Greene	Maurice	E. T. Smith	Wright
G. Clark	H. Harris	Moss	Stewart	Yeomans
Coffin				

76

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to provide for the Erie canal enlargement and the Genesee Valley and Black river canals." coming up for its third reading

Mr. W. S. Gregory moved to recommit with instructions to amend as follows, insert in the 12th line of the 12th section after the word "State" the following :

"Provided however that no contracts shall be awarded to any person or persons except those only who will enter into a stipulation that he or they, to whom such contracts may be awarded will not require any mechanic or laborer to work longer than 10 hours for a day's work. the compensation for which shall be a sum not less than one dollar lawful currency."

Mr. Le Roy called for a division of the question.

Mr. Speaker put the question whether the House would agree to the first clause of the motion, being that portion which proposes to limit the hours of labor, and it was determined in the negative.

{ AYES 34 }
{ NOES 56 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

H. J. Allen	Doyle	Lyon	W. F. Russell	Speaker
Anthon	Elderkin	Macomber	Ryan	A. A. Thompson
Baker	W. S. Gregory	Maurice	Shall	Varnum
Briggs	Greene	Minier	Sherman	Wakeman
Coffin	Higby	E. Perry	E. T. Smith	Wooster
Dewey	Jayne	Robinson	Stewart	Wright
Dougherty	Le Roy	Rowe	Stratton	

34

Those who voted in the negative are,

O. Allen	Campbell	Fordyce	Ingersoll	Rouse
Atwood	G. Clark	Gilbert	Kellogg	Rumsey

J. W. Babcock	Colvin	Gleason	Lesley	Severance
Backhouse	Cooke	Graham	Lewis	Shultes
Barnes	Corser	A. A. Gregory	McLouth	A. Smith
Belknap	Dennison	H. Harris	Miles	Townsend
J. Benedict	Douglass	Heath	Moss	Tuthill
Bird	Farr	Hewit	Noble	Ward
Blackstone	Ferris	Hinds	Pardee	Welden
Bradley	Fisk	Hoppin	Pool	Wheeler
Burroughs	Fitzhugh	Humphrey	Rider	Yeomans
Bushnell				

56

Mr. Speaker put the question whether the House would agree to the second clause of the motion, being that portion which proposes to regulate the compensation to laborers, and it was determined in the negative.

{ AYES 30 }
{ NOES 54 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

Anthon	Doyle	Jayne	Robinson	Stewart
Baker	Elderkin	Lyon	W. F. Russell	Stratton
Barnes	Fitzhugh	Macomber	Ryan	Swords
Briggs	W. S. Gregory	Maurice	Shall	A. A. Thompson
Dewey	Greene	Minier	Sherman	Wooster
Dougherty	Higby	E. Perry	Siekles	Wright

30

Those who voted in the negative are,

O. Allen	Bushnell	Fordyce	Kellogg	E. T. Smith
Atwood	Campbell	Gilbert	Lewis	Speaker
J. W. Babcock	G. Clark	Gleason	McLouth	Townsend
Backhouse	Colvin	Graham	Moss	Tuthill
Belknap	Cooke	A. A. Gregory	Pardee	Varnum
J. Benedict	Corser	H. Harris	Rouse	Wakeman
Bird	Dennison	Heath	Rowe	Ward
Blackstone	Douglass	Hewit	Rumsey	Welden
Bradley	Farr	Hoppin	Severance	Wheeler
Brayton	Ferris	Humphrey	Shultes	Yeomans
Burroughs	Fisk	Ingersoll	A. Smith	

54

Mr. O. Allen moved to recommit the bill to the canal committee, with instructions to amend the third, eighth and ninth sections, as follows:

In the third section to strike out the first seven lines, providing that the surplus revenues shall be applied in the first instance to the payment of the interest on the certificates of deposit, during the years '51, '52, '53 and '54, and the residue to the completion of the enlargement and the Genesee Valley and Black river canals, and to insert words to the effect that the surplus revenues, accruing in those years, shall be applied directly to the completion of those works.

In the eighth section, insert words making the payment of interest on the certificates a charge on the avails of the sales thereof, and on the premiums received thereon.

In the ninth section strike out the few last lines, making the interest on the certificates payable out of the surplus revenue fund, and

making it payable out of the avails of the sales of the certificates and the premiums thereon, and the interest accruing on the deposit of these avails, and report the same forthwith.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. O. Allen, and it was determined in the affirmative.

{ AYES 52 }
{ NOES 20 }

The ayes and noes being called for by ten members,

Those who voted in the affirmative are,

O. Allen	Briggs	Gleason	Kellogg	Swords
Anthon	G. Clark	Graham	Lesley	Speaker
Atwood	Colvin	A. A. Gregory	Moss	Townsend
J. W. Babcock	Cooke	W. S. Gregory	Pardee	Tuthill
Baker	Corser	L. Harris	Rouse	Underwood
Belknap	Dewey	Hatch	Rowe	Wakeman
J. Benedict	Douglass	Heath	Rumsey	Ward
Bird	Farr	Hewitt	Severance	Welden
Blackstone	Ferris	Hinds	Sherman	Wheeler
Bradley	Fisk	Humphrey	A. Smith	Yeomans
Brayton	Fordyce			

52

Those who voted in the negative are,

H. J. Allen	Higby	Le Roy	Rider	E. T. Smith
Bushnell	Horton	Lyon	Robinson	Stewart
Dougherty	Jayne	E. Perry	Shall	Stratton
Elderkin	Lawyer	Pool	Sickles	Wooster

20

Mr. Fordyce, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows, to wit:

"An act to incorporate the Western savings bank of Buffalo."

"An act to incorporate the Broadway savings institution in the city of New-York."

"An act to incorporate the Northern New-York live stock insurance company."

"An act to authorise the Bainbridge and Lanesboro steamboat Navigation company, to improve the Susquehanna river from Bainbridge to the State line."

"An act to amend the charter of Westfield village, and to enlarge the powers of the trustees of said village."

"An act to amend an act to amend and consolidate the several acts relating to the city of Utica, passed March 31, 1849."

Ordered, That said bills be read a third time.

On motion of Mr. Briggs,

The House then at 15 minutes to 7 o'clock adjourned.

WEDNESDAY, APRIL 2, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Potter.

The minutes of yesterday were read and approved.

Mr. Speaker announced the order of business to be the third reading of bills.

Mr. O. Allen, from the committee on canals, to which was recommended with instructions to report forthwith certain amendments to the engrossed bill entitled, "An act to provide for the completion of the Erie canal enlargement and the Genesee Valley and Black river canals," reported said bill with such amendments.

Mr. Elderkin raised a point of order that the report was not now in order.

Mr. Speaker decided that the point of order was not well taken.

Mr. Le Roy appealed from the decision of the chair.

Mr. Speaker put the question, "Shall the decision of the chair stand as the judgment of the House?" and it was determined in the affirmative.

Said bill having then come up for a third reading.

Mr. Le Roy moved to recommit with instructions to report the substitute heretofore offered by him, pending debate, the House took a recess until 4 o'clock.

FOUR O'CLOCK P. M.

The House again met,

The House then resumed the consideration of Mr. Le Roy's motion to recommit.

Pending consideration thereof,

On motion of Mr. Maurice,

The House, at half past six o'clock, adjourned.

THURSDAY, APRIL 3, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Palmer.

The minutes of yesterday were read and approved.

The House resumed the consideration of the motion of Mr. Le Roy, made yesterday, to substitute the bill offered by him for the bill

entitled, "An act to provide for the completion of the Erie canal enlargement, and the Genesee Valley and Black River canals."

Pending consideration, the hour of fifteen minutes to two having arrived, Mr. Burroughs moved to postpone the customary recess for ten minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

The hour for taking a recess having again arrived, Mr. Burroughs moved to postpone the customary recess for ten minutes.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burroughs, and it was determined in the affirmative.

The hour for taking a recess having again arrived, Mr. Anthon moved to postpone indefinitely.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Anthon, and it was determined in the negative.

The House then took a recess until 4 o'clock.

FOUR O'CLOCK, P. M.

The House again met.

The House resumed the consideration of Mr. Le Roy's motion to recommit.

After debate, Mr. Robinson moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Robinson, and it was determined in the negative.

After debate, Mr. Robinson moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Robinson, and it was determined in the negative.

Mr. Wakeman moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then announced the question to be on the motion of Mr. Le Roy.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Le Roy, and it was determined in the negative.

{ AYES 23 }
{ NOES 75 }

The ayes and noes being called for by ten members,
[ASSEMBLY JOURNAL.]

Those who voted in the affirmative are,

H. J. Allen	Congdon	Elderkin	Robinson	Stewart
R. Babcock	Davis	Horton	W. F. Russell	Stilwell
Barnes	Dennison	Jayne	Sickles	Stratton
Bushnell	Dougherty	Maurice	E. T. Smith	Wooster
Coffin	Doyle	Pool		

23

Those who voted in the negative are,

O. Allen	Chamberlin	Graham	Langdon	A. Smith
Anthon	G. Clark	A. A. Gregory	Leggett	Southwick
Atwood	Colvin	W. S. Gregory	McLouth	Stevens
J. W. Babcock	Cooke	Greene	Macomber	Swords
Belknap	Corser	H. Harris	Miles	Speaker
J. Benedict	Dewey	L. Harris	Moss	Townsend
Bird	Douglass	Hatch	Pardee	Tuthill
Blackstone	Farr	Heath	J. L. Perry	Underwood
Bottum	Ferris	Hewit	Rouse	Varnum
Bradley	Feller	Hinds	Rowe	Wakeman
Briggs	Fisk	Hoppin	Rumsey	Ward
Burroughs	Fordyce	Humphrey	Ryan	Welden
Cady	French	Ingersoll	Severance	Wheeler
Campbell	Gilbert	Kellogg	Sherman	Whiteside
Carrington	Gleason	Lake	Shultes	Wright

75

Mr. Elderkin moved to recommit the bill with instructions to strike out that portion which makes the certificates the basis of banking.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the negative.

{ AYES 29 }
{ NOES 70 }

Those who voted in the affirmative are,

H. J. Allen	Davis	Jayne	W. F. Russell	Stillwell
R. Babcock	Dougherty	Maurice	Ryan	Stratton
Barnes	Doyle	Minier	Shall	O. C. Thompson
Bushnell	Elderkin	E. Perry	Sickles	Underwood
Coffin	Higby	Pool	E. T. Smith	Wooster
Congdon	Horton	Robinson	Stewart	

29

Those who voted in the negative are,

O. Allen	Carrington	Gilbert	Ingersoll	Severance
Anthon	Chamberlin	Gleason	Kellogg	Sherman
Atwood	G. Clark	Graham	Lake	Shultes
J. W. Babcock	Colvin	A. A. Gregory	Langdon	A. Smith
Belknap	Cooke	W. S. Gregory	Leggett	Southwick
J. Benedict	Corser	Greene	McLouth	Stevens
Bird	Dewey	H. Harris	Macomber	Swords
Blackstone	Douglass	L. Harris	Miles	Speaker
Bottum	Farr	Hatch	Moss	Townsend
Bradley	Ferris	Heath	Pardee	Tuthill
Brayton	Feller	Hewit	J. L. Perry	Wakeman
Briggs	Fisk	Hinds	Rouse	Welden
Burroughs	Fordyce	Hoppin	Rowe	Wheeler
Cady	French	Humphrey	Rumsey	Whiteside

70

Mr. Elderkin moved to recommit with instructions to amend section 12 by striking out six per cent and inserting five per cent.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the negative.

Mr. Elderkin moved to recommit with instructions to insert a provision for the enlargement of the Oswego and Champlain canals.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Elderkin, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 76 }
{ NOES 27 }

Those who voted in the affirmative are,

O. Allen	Carrington	Gilbert	Kellogg	Sheridan
Anthon	Chamberlain	Gleason	Lake	Shufles
Atwood	G. Clark	Graham	Langdon	A. Smith
J. W. Babcock	Colvin	A. A. Gregory	Leggett	Southwick
Belknap	Cooke	W. S. Gregory	McLouth	Stevens
J. Benedict	Corser	Greene	Macomber	Swords
Bird	Dewey	H. Harris	Miles	Speaker
Bishop	Douglass	L. Harris	Moss	Townsend
Blackstone	Farr	Hatch	Pardee	Tuthill
Bottum	Ferris	Heath	J. L. Perry	Underwood
Bradley	Feller	Hewit	Rouse	Varnum
Brayton	Fisk	Hinde	Rowe	Wakeman
Briggs	Fitzhugh	Hoppin	Rumsey	Welden
Burroughs	Fordyce	Humphrey	Ryan	Wheeler
Cady	French	Ingersoll	Severance	Whiteside
Campbell				

76

Those who voted in the negative are,

H. J. Allen	Davis	Jayne	W. F. Russell	Stilwell
R. Babcock	Dougherty	Maurice	Shall	Stratton
Barnes	Doyle	Minier	Sickles	O. C. Thompson
Bushnell	Elderkin	Pool	E. T. Smith	Wooster
Coffin	Higby	Robinson	Stewart	Wright
Congdon	Horton			

27

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Briggs moved to reconsider the vote on the final passage of said bill.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Briggs, and it was determined in the negative, a majority of all the members elected to the Assembly, not voting in favor thereof, as follows:

{ AYES 16 }
{ NOES 67 }

Those who voted in the affirmative are,

H. J. Allen	Higby	Minier	E. T. Smith	Stratton
Davis	Jayne	E. Perry	Stewart	Wooster
Doyle	Maurice	Shall	Stilwell	Wright
Elderkin				

16

Those who voted in the negative are,

O. Allen	Campbell	Gleason	Kellogg	Severance
Anthoh	Carrington	Graham	Lake	Sherman
Atwood	Chamberlin	A. A. Gregory	Langdon	Shultes
J. W. Babcock	G. Clark	W. S. Gregory	Leggett	A. Smith
Belknap	Colvin	Greene	McLouth	Stevens
J. Benedict	Cooke	H. Harris	Macomber	Speaker
Bird	Corser	L. Harris	Miles	Townsend
Bishop	Dewey	Heath	Moss	Tuthill
Blackstone	Farr	Hewit	Pardee	Underwood
Bottum	Ferris	Hinds	J. L. Perry	Varnum
Bradley	Feller	Hoppin	Rouse	Wakeman
Brayton	Fisk	Humphrey	Rowe	Welden
Briggs	Fordyce	Ingersoll	Rumsey	Whiteide
Burroughs	Gilbert			

67

A message from the Senate was received and read, informing that they had passed, without amendment, the bill entitled as follows :

"An act to authorise William Beard and others to construct and build docks in the sixth ward of the city of Brooklyn and port of New-York."

A message from the Senate was received and read, informing that they had concurred in the amendments of the Assembly to the bill entitled, "An act granting to Phillip A. Strong the right of establishing a ferry across the Chautauque lake."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Fordyce, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows :

"An act to amend an act entitled, 'An act to vest certain powers in the freeholders and inhabitants of the village of Cooperstown, in the county of Otsego,' passed June 12, 1842, and the acts amendatory of the same."

"An act making appropriations for the State prisons at Sing Sing and Clinton, and amendatory of section six, of chapter 70, of the laws of 1845."

"An act for the relief of the Buffalo and Black Rock railroad company."

"An act to amend the Revised Statutes in relation to larceny."

A message from the Governor was received and read, in the words following, to wit :

EXECUTIVE DEPARTMENT, }
Albany, April 1, 1851. }

To the Assembly:

I have this day approved and signed the following entitled bills:

"An act to authorise a part of the records of the county of Erie to

be transcribed and deposited in the clerk's office of the county of Niagara."

"An act for the relief of the devisees of William Crowther."

WASHINGTON HUNT.

On motion of Mr. Severance,
The House, at 15 minutes to 8 o'clock, adjourned.

FRIDAY, APRIL 4, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Potter.

The minutes of yesterday were read.

Mr. Elderkin offered for the consideration of the House, a resolution in the words following, to wit :

Resolved, That the bill for the enlargement of the Erie canal and the completion of the Genesee Valley and Black river canals, be re-committed to the standing committee on canals, with instructions to submit the same to the Attorney General for his opinion in writing as to the constitutionality of said bill, and whether the said bill does or does not create a debt within the meaning and intent of the constitution of the State, and that they report said opinion to this House as soon as practicable.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

On motion of Mr. Le Roy,

The journal was amended by recording on the vote on the final passage of the bill entitled, "An act to provide for the completion of the Erie canal enlargement and the Genesee Valley and Black river canals," the names of Messrs. Lesley and Baker in the affirmative, and Messrs. Le Roy and A. A. Thompson in the negative.

Mr. Varnum, from the committee on railroads, to which was re-committed the bill entitled, "An act in relation to mortgages on premises in the city of New-York, taken by the commissioners for loaning certain moneys of the United States," with instructions to report forthwith, reported the same complete.

The bill entitled, "An act making appropriations for the State prisons at Sing Sing and Clinton, and amendatory of section six, of chapter 70 of the laws of 1845," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	G. Clark	Higby	Noble	Stevens
O. Allen	Coffin	Hinds	Pardoe	Stewart
Anthon	Colvin	Horton	Pool	Stilwell
Atwood	Congdon	Hoppin	Rider	Stratton
J. W. Babcock	Dewey	Humphrey	Robinson	Swords
Baker	Douglass	Ingersoll	Rockwell	Speaker
Barnes	Doyle	Jayne	Rouse	O. C. Thompson
Belknap	Farr	Lake	Rowe	Tuthill
J. Benedict	Ferris	Langdon	Rumsey	Underwood
Blackstone	Fisk	Lawyer	W. F. Russell	Wakeman
Bottum	Fitzhugh	Loggett	Ryan	Ward
Bradley	Fordyce	Le Roy	Severance	Welden
Brayton	Gilbert	Lesley	Sherman	Wheeler
Briggs	W. S. Gregory	McLouth	Shultes	Whiteside
Bushnell	L. Harris	Macomber	Sickles	Wooster
Carrington	Hatch	Maurice	A. Smith	Wright
Chamberlin	Heath	Moss	Southwick	

84

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Macomber moved to reconsider the vote on the final passage of this bill.

Mr. Macomber moved to lay said motion on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Macomber, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to the said motion to reconsider, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

{ AYES 02 }
{ NOES 46 }

Those who voted in the affirmative are,

Dewey Heath

2

Those who voted in the negative are,

H. J. Allen	G. Clark	Gleason	Rockwell	Tuthill
O. Allen	Corser	L. Harris	Rumsey	Underwood
Anthon	Douglass	Higby	Sickles	Wakeman
J. W. Babcock	Farr	Ingersoll	Southwick	Ward
J. Benedict	Ferris	Lake	Stevens	Welden
Blackstone	Fisk	Lawyer	Stratton	Wheeler
Bottum	Fitzhugh	Lesley	Swords	Whiteside
Bradley	Fordyce	Macomber	Speaker	Wooster
Briggs	French	Pardoe	O. C. Thompson	Wright
Carrington				

46

The bill entitled, "An act to enable the trustees of consolidated school district number two, in Batavia, to levy a tax for the support of a school therein," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting

in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Coffin	Hatch	Maurice	Southwick
Anthon	Colvin	Heath	Minier	Stevens
Atwood	Congdon	Hinds	Moss	Stratton
J. W. Babcock	Corser	Hoppin	Noble	Swords
Backhouse	Douglass	Humphrey	Pardee	Speaker
Barnes	Ely	Ingersoll	Pool	O. C. Thompson
Belknap	Farr	Jayne	Rider	Tuthill
J. Benedict	Ferris	Kellogg	Rockwell	Underwood
Bird	Fisk	Lake	Rouse	Varnum
Bishop	Fitzhugh	Langdon	Rowe	Wakeman
Blackstone	Fordyce	Lawyer	Rumsey	Ward
Bottum	French	Leggett	W. F. Russell	Welden
Bradley	Gilbert	Le Roy	Severance	Wheeler
Brayton	Gleason	Lesley	Shultes	Whiteside
Briggs	W. S. Gregory	Lewis	Sickles	Wooster
Carrington	Greene	McLouth	A. Smith	Wright
G. Clark	H. Harris	Macomber		

82

Ordered, That the Clerk return the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act appointing commissioners to lay out a public highway in the towns of Westmoreland, Vernon and Verona in the county of Oneida," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Carrington	Gleason	Maurice	Southwick
O. Allen	Chamberlin	Greene	Miles	Stevens
R. Babcock	G. Clark	L. Harris	Pardee	Stilwell
J. W. Babcock	Coffin	Hatch	J. L. Perry	Stratton
Baker	Colvin	Heath	Pool	Swords
Belknap	Congdon	Hinds	Rockwell	Speaker
J. Benedict	Corser	Humphrey	Rouse	Tuthill
Bird	Davis	Ingersoll	Rowe	Underwood
Bishop	Dewey	Kellogg	Rumsey	Wakeman
Blackstone	Dougherty	Lake	W. F. Russell	Ward
Bottum	Ely	Lawyer	Severance	Welden
Bradley	Farr	Leggett	Sherman	Wheeler
Brayton	Ferris	Le Roy	Shultes	Whiteside
Briggs	Fisk	Lesley	Sickles	Wooster
Bushnell	Fordyce	McLouth	A. Smith	Wright
Cady	French	Macomber		

78

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act for the relief of the Buffalo and Black Rock railroad company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 76 }
{ NOES 01 }

Those who voted in the affirmative are,

O. Allen	G. Clark	French	Lewis	Southwick
Atwood	Colvin	Gilbert	McLouth	Stevens
J. W. Babcock	Congdon	H. Harris	Macomber	Stratton
Baker	Corser	Hatch	Maurice	Swords
Barnes	Davis	Heath	Miles	Speaker
Belknap	Dennison	Hinds	Pardee	O. C. Thompson
J. Benedict	Dougherty	Hoppin	Robinson	Townsend
Bird	Douglass	Humphrey	Rockwell	Tuthill
Bishop	Elderkin	Ingersoll	Rouse	Underwood
Blackstone	Ely	Lake	Rowe	Wakeman
Bradley	Farr	Langdon	Rumsey	Ward
Brayton	Ferris	Lawyer	Ryan	Welden
Briggs	Fisk	Leggett	Severance	Wheeler
Bushnell	Fitzhugh	Le Roy	Sherman	Whiteside
Carrington	Fordyce	Lesley	A. Smith	Wright
Chamberlin				

76

For the negative,

W. F. Russell

1

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to provide for the laying out and constructing the Colton and Long Lake road," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Carrington	Fordyce	Macomber	Sickles
Anthon	Chamberlin	Graham	Maurice	A. Smith
R. Babcock	G. Clark	L. Harris	Pardee	Southwick
J. W. Babcock	Coffin	Hatch	Pool	Stevens
Baker	Colvin	Heath	Rider	Stewart
Barnes	Cooke	Hinds	Robinson	Stratton
Belknap	Corser	Humphrey	Rockwell	Swords
J. Benedict	Davis	Ingersoll	Rouse	Speaker
Bird	Dennison	Kellogg	Rowe	O. C. Thompson
Bishop	Dewey	Lake	Rumsey	Tuthill

Blackstone	Dougherty	Langdon	W. Russell	Underwood
Bottom	Douglass	Lawyer	W. F. Russell	Ward
Bradley	Elderkin	Leggett	Severance	Welden
Brayton	Ely	Le Roy	Sherman	Whiteside
Briggs	Farr	Lesley	Shultes	Wright
Campbell	Fisk	McLouth		

78

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

A message from the Governor was received and read, in the words following, to wit :

EXECUTIVE DEPARTMENT, }
Albany, April 3, 1851. }

To the Assembly :

I have this day approved and signed the following entitled bills :

"An act to fix the salary of the clerk of the canal appraisers."

"An act to authorise William Beard and others to construct and build docks, wharves, bulkheads, piers and basins in front of their lands in the sixth ward of the city of Brooklyn and port of New-York."

WASHINGTON HUNT.

The bill entitled, "An act to authorise the Northern railroad company to take stock in a railroad to Potsdam village, or to construct the same as a branch," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 73 }
{ NOES 06 }

Those who voted in the affirmative are,

O. Allen	G. Clark	Fisk	Le Roy	Southwick
Anthon	Coffin	French	Lesley	Stevens
Atwood	Colvin	Graham	Lewis	Stewart
R. Babcock	Congdon	W. S. Gregory	Moss	Stratton
J. W. Babcock	Corser	L. Harris	Pardoe	Swords
Baker	Davis	Hatch	Peel	Speaker
Belknap	Dennison	Heath	Rider	G. C. Thompson
J. Benedict	Dewey	Hinds	Rockwall	Tuthill
Bird	Dougherty	Horton	Rouse	Underwood
Bishop	Douglass	Humphrey	Rowe	Wakeman
Blackstone	Doyle	Ingersoll	W. Russell	Ward
Bottom	Elderkin	Lake	Severance	Wheeler
Bushnell	Ely	Langdon	Sherman	Wooster
Carrington	Farr	Lawyer	A. Smith	Wright
Chamberlin	Ferris	Leggett		

78

Those who voted in the negative are,

Bradley	Higby	McLouth	Rumsey	W. F. Russell
Gleason				

6

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to authorise the election of a supervisor in each ward of the city of Utica," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Carrington	French	Lesley	Stevens
Anthon	Chamberlin	Gilbert	McLouth	Stratton
Atwood	G. Clark	Gleason	Macomber	Swords
R. Babcock	Coffin	Graham	Moss	Speaker
J. W. Babcock	Colvin	W. S. Gregory	Pardee	O. C. Thompson
Baker	Cooke	L. Harris	Pool	Townsend
Barnes	Congdon	Hatch	Rouse	Tuthill
Belknap	Corser	Heath	Rowe	Underwood
J. Benedict	Dennison	Hinds	Rumsey	Varnum
Bird	Dewey	Humphrey	W. Russell	Wakeman
Bishop	Dougherty	Ingersoll	W. F. Russell	Ward
Blackstone	Ely	Jayne	Severance	Welden
Bottum	Farr	Kellogg	Sherman	Wheeler
Bradley	Ferris	Lake	Shultes	Whiteside
Brayton	Fisk	Langdon	A. Smith	Wooster
Briggs	Fordyce	Lawyer	Southwick	Wright 80

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

Mr. Speaker presented the following communication, to wit :

New-York March 31, 1851.

The Hon. HENRY J. RAYMOND,
Speaker of the Assembly:

Sir,—I have received authenticated copies of resolutions of the two Houses of the Legislature of this State, giving me official information of my election as a Senator in the Congress of the United States from the State of New-York.

I beg you to communicate to the body over which you preside, my acceptance of the office, and my respectful acknowledgment of this expression of their generous confidence.

I have the honor to be, with very sincere respect, your obedient servant.

HAMILTON FISH.

The bill entitled, "An act in relation to plank roads and turnpike roads," coming up for its third reading.

Mr. Stratton moved to recommit the same with instructions to amend by striking out the words "living on their farms" in the sixth section of said bill.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Stratton, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 82 }
{ NOES 06 }

Those who voted in the affirmative are,

H. J. Allen	Colvin	Higby	Pardee	Stevens
R. Babcock	Corser	Hinds	Pool	Stewart
J. W. Babcock	Davis	Horton	Rider	Swords
Baker	Dennison	Humphrey	Rockwell	Speaker
Belknap	Dougherty	Ingersoll	Rouse	A. A. Thompson
J. Benediot	Douglass	Jayne	Rowe	O. C. Thompson
Bishop	Doyle	Kinsley	Rumsey	Tuthill
Blackstone	Farr	Lake	W. Russell	Underwood
Bowne	Ferris	Langdon	W. F. Russell	Varnum
Bradley	Fitzhugh	Lawyer	Severance	Wakeman
Brayton	Fordyce	Leggett	Shall	Ward
Cady	French	Le Roy	Sherman	Welden
Campbell	Gilbert	Lesley	Sickles	Wheeler
Carrington	Graham	Maurice	A. Smith	Whiteside
Chamberlin	H. Harris	Miles	E. T. Smith	Wooster
G. Clark	Hatch	Moss	Southwick	Wright
Coffin	Heath			

82

Those who voted in the negative are,

Antho	Dewey	Gleason	Macomber	Stratton
Atwood				

6

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend an act entitled, 'An act to vest certain powers in the freeholders and inhabitants of the village of Cooperstown, in the county of Otsego,' passed June 12, 1842, and the acts amendatory of the same," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	H. Harris	Macomber	Southwick
O. Allen	G. Clark	L. Harris	Maurice	Stevens
Antho	Coffin	Hatch	Miles	Stratton
Atwood	Colvin	Heath	Moss	Swords
J. W. Babcock	Corser	Hinds	Pardee	Speaker
Baker	Dennison	Horton	Pool	O. C. Thompson
Barnes	Dewey	Humphrey	Rider	Townsend
Belknap	Dougherty	Ingersoll	Rockwell	Tuthill

J. Benedict	Douglass	Jayne	Rouse	Underwood
Bishop	Ely	Kinsley	Rowe	Wakeman
Blackstone	Farr	Lake	Rumsey	Ward
Bottom	Ferris	Langdon	Severance	Welden
Bradley	Fordyce	Lawyer	Sherman	Wheeler
Brayton	French	Loggett	Shakes	Whiteside
Briggs	Gilbert	Le Roy	Sickles	Wooster
Campbell	Gleason	Lesley	A. Smith	Wright
Carrington	Graham	McLouth	E. T. Smith	

84

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act in relation to the Onondaga salt springs," coming up for its third reading.

On motion of Mr. Stevens, and by unanimous consent,

Said bill was amended as follows, in the fourth section strike out the words "pump houses" and insert "salt logs."

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Campbell	Gleason	Macomber	Southwick
O. Allen	Carrington	Graham	Maurice	Stevens
Atwood	Chamberlain	H. Harris	Miles	Stewart
R. Babcock	G. Clark	Hatch	Minier	Stratton
J. W. Babcock	Coffin	Heath	Moss	Swords
Baker	Congdon	Hinds	Pardee	Speaker
Barnes	Corser	Horton	Pool	A. A. Thompson
Belknap	Deanisen	Humphrey	Rider	O. C. Thompson
J. Benedict	Dougherty	Ingersoll	Rockwell	Townsend
Bird	Douglass	Jayne	Rouse	Tuthill
Bishop	Doyle	Kinsley	Rowe	Underwood
Blackstone	Ely	Lake	Rumsey	Varnum
Bottom	Farr	Langdon	W. Russell	Wakeman
Bowen	Ferris	Lawyer	W. F. Russell	Ward
Bradley	Fisk	Loggett	Shall	Welden
Brayton	Fitzhugh	Le Roy	Sherman	Wheeler
Briggs	Fordyce	Lesley	Sickles	Whiteside
Bushnell	French	Lewis	A. Smith	Wooster
Cady	Gilbert	McLouth	E. T. Smith	Wright

95

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to incorporate the Broadway savings bank," was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 68 }
{ NOES 06 }

Those who voted in the affirmative are,

H. J. Allen	Carrington	Gilbert	Leggett	E. T. Smith
O. Allen	Chamberlin	Gleason	Macomber	Southwick
Atwood	G. Clark	Graham	Moss	Stevens
J. W. Babcock	Coffin	L. Harris	Pardee	Stewart
Baker	Cooke	Heath	Pool	Stratton
Belknap	Corser	Hinds	Rider	Speaker
J. Benedict	Dennison	Horton	Rockwell	Tuthill
Bishop	Dougherty	Humphrey	Rouse	Underwood
Bowne	Ely	Ingersoll	Rowe	Wakeman
Bradley	Farr	Jayne	Rumsey	Ward
Brayton	Ferris	Kinsley	Shall	Welden
Briggs	Fitzhugh	Lake	Sherman	Whiteside
Bushnell	Fordyce	Langdon	Shultes	Wooster
Campbell	French	Lawyer		

68

Those who voted in the negative are,

Blackstone	Maurice	Townsend	Varnum	Wright
Le Roy				

6

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act in relation to the State Arsenal in the city of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 75 }
{ NOES 04 }

Those who voted in the affirmative are,

H. J. Allen	Coffin	W. S. Gregory	Miles	A. Smith
O. Allen	Corser	Hinds	Pardee	Southwick
J. W. Babcock	Dennison	Horton	J. L. Perry	Stevens
Belknap	Dewey	Humphrey	Pool	Stewart
J. Benedict	Dougherty	Ingersoll	Rider	Stratton
Blackstone	Douglase	Jayne	Rockwell	Swords
Bottum	Doyle	Lake	Rouse	Speaker
Bowne	Ely	Langdon	Rowe	A. A. Thompson
Bradley	Farr	Lawyer	Rumsey	Townsend
Brayton	Ferris	Leggett	W. Russell	Tuthill
Briggs	Fisk	Leeley	Sovereign	Varnum
Bushnell	Fitzhugh	Lewis	Shall	Wakeman
Cady	Fordyce	McLouth	Sherman	Ward
Carrington	French	Macomber	Shultes	Whiteside
G. Clark	Graham	Maurice	Sickles	Wright

75

Those who voted in the negative are,

Baker	Le Roy	Moss	Underwood
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4

Ordered, That the Clerk return the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to pay Russell B. Burch for costs and expenses incurred by him in consequence of retaining certain moneys

while acting as school commissioner for the town of New Berlin," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Carrington	Gilbert	McLouth	Southwick
O. Allen	Chamberlin	Gleason	Macomber	Stevens
R. Babcock	G. Clark	Graham	Miles	Stewart
J. W. Babcock	Congdon	L. Harris	Pardee	Stratton
Baker	Corser	Higby	Pool	Speaker
Belknap	Dennison	Hinds	Rider	A. A. Thompson
J. Benedict	Dougherty	Humphrey	Rockwell	Tuthill
Bird	Douglass	Ingersoll	Rouse	Underwood
Blackstone	Doyle	Jayne	Rowe	Varnum
Bottom	Ely	Kinsley	Rumsey	Ward
Bowne	Farr	Lake	Shall	Welden
Bradley	Ferris	Langdon	Sherman	Wheeler
Brayton	Fisk	Lawyer	Shultes	Whiteside
Briggs	Fitzhugh	Leggett	Sickles	Wooster
Bushnell	Fordyce	Le Roy	E. T. Smith	Wright
Campbell	French			

77

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend the charter of Westfield village and to enlarge the powers of the trustees of said village," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 79 }
{ NOES . 00 }

Those who voted in the affirmative are,

H. J. Allen	Coffin	Hinds	Rider	Stratton
O. Allen	Congdon	Humphrey	Rockwell	Swords
R. Babcock	Corser	Ingersoll	Rouse	Speaker
J. W. Babcock	Davis	Jayne	Rowe	A. A. Thompson
Baker	Dennison	Langdon	Rumsey	Townsend
Belknap	Dougherty	Lawyer	W. Russell	Tuthill
J. Benedict	Douglass	Leggett	Ryan	Underwood
Bird	Ely	Le Roy	Severance	Varnum
Bottom	Farr	Lesley	Shall	Wakeman
Bowne	Ferris	Lewis	Sherman	Ward
Bradley	Fisk	McLouth	Shultes	Walden
Brayton	Fordyce	Maurice	A. Smith	Wheeler

Briggs	French	Miles	E. T. Smith	Whiteside
Bushnell	Gleason	Moss	Southwick	Wooster
Carrington	Graham	Pardee	Stevens	Wright
Chamberlin	Higby	Pool	Stewart	

79

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend an act to incorporate the city of Syracuse, passed December 14, 1847, and also the act amending the same, passed April 5, 1849, and also the act amending said acts, passed April 4, 1850," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	G. Clark	Gleason	Macomber	E. T. Smith
O. Allen	Coffin	Graham	Maurice	Southwick
R. Babcock	Colvin	L. Harris	Moss	Stevens
J. W. Babcock	Congdon	Heath	Pardee	Stewart
Baker	Corser	Higby	Pool	Stratton
Belknap	Dennison	Hinds	Rider	Swords
J. Benedict	Dougherty	Humphrey	Rockwell	Speaker
Bird	Douglass	Ingersoll	Rouse	Tuthill
Blackstone	Doyle	Jayne	Rowe	Underwood
Bottum	Ely	Kinsley	Rumsey	Wakeman
Bowne	Farr	Lake	Severance	Ward
Bradley	Ferris	Langdon	Shall	Welden
Brayton	Fisk	Lawyer	Sherman	Wheeler
Briggs	Fitzhugh	Leggett	Shultes	Whiteside
Bushnell	Fordyce	Le Roy	Sickles	Wooster
Carrington	French	Lewis	A. Smith	Wright
Chamberlin	Gilbert	McLouth		

88

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act authorising the appraisal and payment of certain damages arising from the construction of the aqueduct across the Chuctenunda creek," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Congdon	Hatch	Pardee	Stevens
O. Allen	Corser	Heath	J. L. Perry	Stewart

Atwood	Deanison	Hinds	Pool	Stratton
J. W. Babcock	Dougherty	Humphrey	Rider	Swords
Baker	Douglass	Ingersoll	Rockwell	Speaker
Belknap	Doyle	Jayne	Rouse	A. A. Thompson
J. Benedict	Elderkin	Lake	Rowe	Townsend
Blackstone	Ely	Langdon	Rumsey	Tuthill
Bottum	Farr	Lawyer	W. Russell	Underwood
Bradley	Ferris	Leggett	Severance	Varnum
Brayton	Fisk	Le Roy	Shall	Wakeman
Briggs	Fordyce	Lewis	Sherman	Ward
Bushnell	French	McLouth	Sickles	Welden
Campbell	Gleason	Maurice	A. Smith	Whiteside
Carrington	Graham	Miles	E. T. Smith	Wooster
Chamberlin	W. S. Gregory	Moss	Southwick	Wright
Coffin	L. Harris			

82

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act for the relief of the free library of the general society of mechanics and tradesmen of the city of New-York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, two-thirds of all the members elected to the Assembly, not voting in favor thereof, as follows:

{ AYES 76 }
{ NOES 10 }

Those who voted in the affirmative are,

H. J. Allen	Coffin	French	Macomber	Southwick
O. Allen	Congdon	Gilbert	Maurice	Stevens
J. W. Babcock	Corser	Gleason	Moss	Stewart
Baker	Davis	Graham	Rockwell	Stratton
Belknap	Dennison	W. S. Gregory	Rouse	Swords
J. Benedict	Dewey	L. Harris	Rowe	Speaker
Bishop	Dougherty	Hatch	Rumsey	A. A. Thompson
Blackstone	Douglass	Heath	W. Russell	Townsend
Bottum	Elderkin	Hinds	Ryan	Tuthill
Bowne	Ely	Humphrey	Severance	Varnum
Bradley	Farr	Ingersoll	Shall	Wakeman
Briggs	Ferris	Kinsley	Sherman	Ward
Burrongs	Fisk	Langdon	Sickles	Welden
Bushnell	Fitzhugh	Le Roy	A. Smith	Wheeler
Carrington	Fordyce	Lewis	E. T. Smith	Whiteside
Chamberlin				

76

Those who voted in the negative are,

Atwood	Highby	Lake	McLouth	Wooster
Bird	Jayne	Leggett	Pardee	Wright

10

Mr. Pardee moved to reconsider the vote on the final passage of this bill.

Mr. Wakeman moved that said motion lie upon the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wakeman, and it was determined in the affirmative.

The bill entitled, "An act to change in part the northerly bounds of the village of Ulster," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	Gilbert	Lewis	A. Smith
J. W. Babcock	Coffin	Gleason	McLouth	E. T. Smith
Baker	Congdon	W. S. Gregory	Macomber	Stevens
Barnes	Corser	L. Harris	Maurice	Stewart
Belknap	Davis	Hatch	Miles	Stratton
J. Benedict	Dennison	Heath	Moss	Swords
Bird	Dewey	Hinds	Pardee	Speaker
Bishop	Dougherty	Humphrey	Pool	Tatill
Blackstone	Douglass	Ingersoll	Rouse	Underwood
Bottum	Elderkin	Jayne	Rowe	Varnum
Bowne	Ely	Kinsley	Rumsey	Wakeman
Bradley	Farr	Lake	W. Russell	Ward
Brayton	Ferris	Langdon	Severance	Whiteside
Briggs	Fisk	Lawyer	Shall	Wooster
Bushnell	Fordyce	Leggett	Sherman	Wright
Carrington	French			

77

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Southwick, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows, to wit:

"An act to amend the act entitled, 'An act to provide for the incorporation of villages,' passed December 7, 1847, so far as relates to the village of Cohoes."

Ordered, That said bill be read a third time.

The bill entitled, "An act to amend an act to amend and consolidate the several acts relating to the city of Utica, passed March 31, 1849," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 83 }
{ NOES 01 }

Those who voted in the affirmative are,

H. J. Allen	Coffin	Graham	Miles	Stevens
Atwood	Colvin	W. S. Gregory	Moss	Stewart
J. W. Babcock	Congdon	Heath	Pardee	Stratton
Baker	Corser	Hinds	Rockwell	Swords
Barnes	Dennison	Humphrey	Rouse	Speaker
Belknap	Dewey	Ingersoll	Rowe	A. A. Thompson

J. Benedict	Dougherty	Jayne	Rumsey	Townsend
Bishop	Douglass	Kinsley	W. Russell	Tuthill
Blackstone	Doyle	Lake	Ryan	Underwood
Bottum	Ely	Langdon	Severance	Wakeman
Beyne	Farr	Lawyer	Shall	Ward
Bradley	Ferris	Leggett	Sherman	Welden
Brayton	Fisk	Le Roy	Sickles	Wheeler
Briggs	Fitzhugh	Lewis	A. Smith	Whiteside
Bushnell	Fordyce	McLouth	E. T. Smith	Wooster
Carrington	French	Macomber	Southwick	Wright
Chamberlin	Gilbert	Maurice		

83

For the negative,

Gleason

- 1

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to authorise the commissioners of the land office to adjust certain claims to a piece of land belonging to the people of this State in the town of Wolcott by sale or otherwise," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows :

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Congdon	W. S. Gregory	Maurice	Stewart
Anthon	Coraer	Hatch	Miles	Stillwell
J. W. Babcock	Davis	Higby	Moss	Stratton
Baker	Dennison	Hinds	Pardee	Swords
Barnes	Dewey	Humphrey	Rockwell	Speaker
Belknap	Dougherty	Jagersoll	Rouse	A. A. Thompson
J. Benedict	Douglass	Jayne	Rowe	Tuthill
Bishop	Ely	Kinsley	Rumsey	Underwood
Blackstone	Farr	Langdon	W. Russell	Varnum
Bottum	Ferris	Lawyer	Severance	Wakeman
Bradley	Fisk	Leggett	Sherman	Ward
Brayton	Fordyce	Le Roy	Sickles	Welden
Briggs	French	Lewis	A. Smith	Wheeler
Carrington	Gilbert	McLouth	Southwick	Whiteside
Chamberlin	Gleason	Macomber	Stevens	Wooster
Coffin	Graham			

77

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

A message from the Senate was received and read, informing that they had passed without amendment, the bill entitled, as follows:

"An act to amend the act to combine into one act the several acts relating to the city of Albany, passed April 12, 1842, and the several acts amendatory thereof."

Ordered, That the Clerk deliver said bill to the Governor.

The bill entitled, "An act to release the interest of the State in

certain real estate of which John Whittingham died seized to Lydia Whittingham his widow," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Briggs	Pitshugh	Lewis	Southwick
O. Allen	Bushnell	Fordyce	Macomber	Stevens
Anthou	Carrington	French	Maurice	Stewart
Atwood	Chamberlin	Gilbert	Miles	Stratton
R. Babcock	Coffin	Gleason	Pardee	Swords
J. W. Babcock	Colvin	Graham	Poll	Speaker
Baker	Congdon	L. Harris	Rider	A. A. Thompson
Barnes	Corser	Heath	Rockwell	Tutbill
Belknap	Dennison	Humphrey	Rouse	Underwood
J. Benedict	Dewey	Ingersoll	Rowe	Varnum
Bird	Dougherty	Jayne	Rumsey	Wakeman
Bishop	Douglas	Kinsley	Ryan	Ward
Blackstone	Doyle	Lake	Severance	Welden
Bottum	Ely	Langdon	Shall	Whipple
Bowne	Farr	Lawyer	Sherman	Whitcomb
Bradley	Ferris	Leggett	Shutes	Wooster
Brayton	Fisk	Le Roy	A. Smith	Wright

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend the act entitled, 'An act to provide for the incorporation of villages,' passed Dec. 7, 1847, so far as relates to the village of Cohoes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Chamberlin	French	Macomber	Sherman
Anthou	Coffin	Gleason	Maurice	A. Smith
Atwood	Congdon	Graham	Miles	Southwick
J. W. Babcock	Corser	L. Harris	Moss	Stevens
Belknap	Davis	Higby	Pardee	Stewart
J. Benedict	Dennison	Hinds	Poll	Swords
Bishop	Dewey	Humphrey	Rider	Speaker
Blackstone	Dougherty	Ingersoll	Rockwell	A. A. Thompson
Bottum	Douglas	Jayne	Rouse	Tutbill
Bowne	Doyle	Kinsley	Rowe	Underwood
Bradley	Ely	Langdon	Rumsey	Varnum
Brayton	Farr	Lawyer	W. Russell	Wakeman
Briggs	Ferris	Leggett	Ryan	Ward

Bushnell	Fisk	Le Roy	Severance	Welden
Cady	Fitzbugh	Lewis	Shall	Whiteside
Carrington	Fordyce	McLouth		

78

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to incorporate the Northern New-York live stock insurance company," was read a third time.

Mr. Speaker put the question whether the House, would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 67 }
{ NOES 03 }

Those who voted in the affirmative are,

O. Allen	Carrington	French	Miles	Southwick
Anthony	Congdon	Gilbert	Moss	Stevens
Baker	Corser	Graham	Pardee	Stewart
Barnes	Dennison	Hinds	Pool	Swords
Belknap	Dewey	Jayne	Rider	Speaker
J. Benedict	Dougherty	Lake	Rouse	A. A. Thompson
Blackstone	Douglas	Langdon	Rowe	Tutbill
Bottam	Doyle	Lawyer	Rumsey	Underwood
Howe	Ely	Leggett	Ryan	Varnum
Bradley	Farr	Le Roy	Shall	Welden
Brayton	Ferris	McLouth	Sherman	Wheeler
Briggs	Fisk	Macomber	A. Smith	Whiteside
Bushnell	Fitzbugh	Maurice	E. T. Smith	Wooster
Cady	Fordyce			

67

Those who voted in the negative are,

J. W. Babcock	Bishop	Coffin	
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3

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to confirm the title of Anna Mariah Smith to certain real estate in the county of Erie," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Campbell	Gleason	Miles	E. T. Smith
O. Allen	Chamberlin	Graham	Moss	Southwick
Anthony	Coffin	A. A. Gregory	Pardee	Stevens
Atwood	Congdon	L. Harris	J. L. Perry	Stewart
J. W. Babcock	Corser	Hatch	Pool	Swords
Baker	Davis	Hinds	Rider	Speaker
Belknap	Dennison	Ingersoll	Rouse	A. A. Thompson

J. Benedict	Dougherty	Kinsley	Rowe	Townsend
Bishop	Douglass	Lake	Rumsey	Tuthill
Blackstone	Doyle	Langdon	W. Russell	Underwood
Bottum	Ely	Lawyer	Ryan	Varnum
Bowne	Farr	Leggett	Severance	Wakeman
Bradley	Ferris	Le Roy	Shall	Ward
Brayton	Fisk	Lewis	Sherman	Welden
Briggs	Fitzhugh	McLouth	Sickles	Wheeler
Bushnell	Fordyce	Macomber	A. Smith	Whiteside
Cady				

81

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

The Senate bill entitled, "An act to authorise the minister, elders and deacons of the Reformed Dutch church of the town of German Flats to sell and convey certain lands in said county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Bushnell	Fordyce	Miles	Stevens
O. Allen	Cady	French	Moss	Stewart
Anthon	Carrington	Graham	Pardoe	Stratton
Atwood	Chamberlin	Hatch	Pool	Swords
R. Babcock	Congdon	Hinds	Rider	Speaker
J. W. Babcock	Corser	Ingersoll	Rockwell	A. A. Thompson
Baker	Dennison	Jayne	Rouse	O. C. Thompson
Barnes	Dewey	Lake	Rowe	Tuthill
Belknap	Dougherty	Langdon	Rumsey	Underwood
J. Benedict	Douglass	Lawyer	Ryan	Varnum
Bishop	Doyle	Leggett	Severance	Ward
Blackstone	Ely	Le Roy	Sherman	Welden
Bowne	Farr	Lesley	Shultes	Wheeler
Bradley	Ferris	McLouth	A. Smith	Whiteside
Brayton	Fisk	Macomber	E. T. Smith	Wooster
Briggs	Fitzhugh	Maurice	Southwick	Wright

80

Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have passed the same without amendment.

The Senate bill entitled, "An act to amend the act entitled, "An act concerning passengers arriving at the ports of entry and landings in this State," passed Dec. 10, 1847," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 81 }
{ NOES 01 }

Those who voted in the affirmative are,

H. J. Allen	Coffin	Hatch	J. L. Perry	Stevens
O. Allen	Congdon	Hinds	Pool	Stewart
Anthony	Corser	Ingersoll	Rider	Stratton
J. W. Babcock	Davis	Jayne	Rockwell	Swords
Baker	Dennison	Lake	Rouse	Speaker
Belknap	Douglas	Langdon	Rowe	O. C. Thompson
J. Benedict	Ely	Lawyer	Ramsey	Tuthill
Bishop	Farr	Leggett	W. Russell	Underwood
Blackstone	Ferris	Le Roy	Ryan	Varnum
Bottum	Fisk	Lesley	Savarnes	Wakeman
Bowne	Fitzhugh	Lewis	Shall	Ward
Bradley	Fordyce	McLouth	Sherman	Welden
Brayton	French	Miles	Sickles	Wheeler
Briggs	Gleason	Minier	A. Smith	Whiteside
Bushnell	Graham	Moss	E. T. Smith	Wootter
Cady	L. Harris	Pardee	Southwick	Wright
Carrington				

81

For the negative,

Dougherty

Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have concurred in the same without amendment.

The House then took a recess until 4 o'clock p. m.

FOUR O'CLOCK, P. M.

The House again met.

The bill entitled, "An act in relation to mortgages on premises in the city of New-York taken by the commissioners for loaning certain moneys of the United States," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 71 }
{ NOES 02 }

Those who voted in the affirmative are,

O. Allen	Carrington	Gleason	Macomber	Southwick
Anthony	Chamberlin	Graham	Maurice	Stevens
Atwood	J. F. Clark	Hatch	Miles	Stewart
B. Babcock	Coffin	Higby	Minier	Stratton
J. W. Babcock	Corser	Hinds	Pardee	Swords
Barnes	Dougherty	Ingersoll	Pool	Speaker
Belknap	Doyle	Jayne	Rider	Tuthill
J. Benedict	Farr	Kellogg	Rockwell	Underwood
Bishop	Ferris	Lake	Rouse	Varnum
Blackstone	Fisk	Lawyer	Rowe	Wakeman
Bowne	Fitzhugh	Leggett	Ramsey	Ward
Bradley	Fordyce	Lesley	Savarnes	Welden

Brayton	French	Lesley	Sherman	Wheeler
Briggs	Gilbert	Lewis	A. Smith	Wright
Cady				

71

Those who voted in the negative are,

Elderkin	Wooster
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2

Ordered, That the Clerk return the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend the act entitled, 'An act to organize the State Lunatic Asylum, and more effectually to provide for the care, maintenance and recovery of the insane,' passed April 7, 1842," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 71 }
{ NOES 00 }

Those who voted in the affirmative are,

O. Allen	Chamberlin	Graham	Maurice	Sickles
Antho	J. F. Clark	Hatch	Miles	A. Smith
Atwood	Coffin	Hinds	Minier	Southwick
R. Babcock	Corser	Ingersoll	Moss	Stevens
Baker	Davis	Jayne	Pardee	Stratton
Barnes	Dougherty	Kellogg	Pool	Speaker
Belknap	Doyle	Lake	Rockwell	Tuthill
J. Benedict	Ely	Langdon	Rouse	Underwood
Bishop	Farr	Lawyer	Rowe	Wakeman
Blackstone	Ferris	Leggett	Rumsey	Ward
Bowne	Fitzhugh	Le Roy	W. Russell	Welden
Bradley	Fordyce	Lesley	Severance	Wheeler
Brayton	French	Lewis	Sherman	Wooster
Cady	Gleason	Macomber	Shultes	Wright
Carrington				

71

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to incorporate the Western savings bank of Buffalo," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 66 }
{ NOES 02 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	H. Harris	Moss	Stevens
O. Allen	J. F. Clark	Hatch	Pardee	Stewart
Antho	Coffin	Highy	Pool	Stratton
Atwood	Corser	Hinds	Rider	Speaker
R. Babcock	Douglass	Ingersoll	Rockwell	Tuthill

Baker	Doyle	Jayne	House	Underwood
Barnes	Elderkin	Kinsley	Howe	Wakeman
Belknap	Farr	Lake	Ramsay	Ward
Bird	Ferris	Langdon	W. Russell	Welden
Blackstone	Fitzhugh	Lawyer	Sherman	Wheeler
Bowne	Gilbert	Leggett	Sickles	Whiteside
Brayton	Gleason	Lesley	A. Smith	Wooster
Cady	Graham	Macomber	Southwick	Wright
Carrington				

66

Those who voted in the negative are,

Bradley Maurice

2

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to amend the Revised Statutes in relation to larceny," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

{ AYES 40 }
{ NOES 33 }

Those who voted in the affirmative are,

O. Allen	J. F. Clark	Fisk	Maurice	Stewart
Anthoa	Coffin	Fitzhugh	Pardee	Speaker
Atwood	Corser	W. S. Gregory	Rowe	Townsend
Belknap	Dougherty	Hatch	Ramsay	Tuthill
Blackstone	Doyle	Humphrey	W. Russell	Welden
Bradley	Elderkin	Leggett	Sherman	Wheeler
Cady	Farr	Le Roy	Southwick	Whiteside
Campbell	Ferris	Lesley	Stevens	Wooster

49

Those who voted in the negative are,

H. J. Allen	Carrington	Gleason	Lawyer	Rouse
Barnes	Chamberlin	Graham	Macomber	Sickles
J. Benedict	Congdon	H. Harris	Minier	A. Smith
Bishop	Davis	Higby	Pool	Stratton
Bowne	Douglass	Ingersoll	Rider	Varnum
Brayton	French	Jayne	Rockwell	Wright
Briggs	Gilbert	Kinsley		

33

Mr. Briggs moved to reconsider the vote on the final passage of said bill, and that said motion lay on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Briggs, and it was determined in the affirmative.

The bill entitled, "An act for the relief of Bethel Judd," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present, as follows:

{ AYES 80 }
{ NOES 01 }

Those who voted in the affirmative are,

H. J. Allen	Briggs	Gleason	Miles	Southwick
O. Allen	Cady	Graham	Moss	Stevens
Anthon	Carrington	H. Harris	Pardee	Stewart
Atwood	Chamberlin	Hinds	Pool	Stratton
R. Babcock	J. F. Clark	Ingersoll	Rider	Swords
J. W. Babcock	Congdon	Jayne	Rockwell	Speaker
Baker	Corser	Kellogg	Rouse	Townsend
Barnes	Dewey	Lake	Rowe	Tuthill
Belknap	Doyle	Langdon	Rumsey	Underwood
J. Benedict	Farr	Lawyer	Ryan	Varnum
Bishop	Ferris	Leggett	Severance	Ward
Blackstone	Fisk	Le Roy	Shall	Welden
Bottum	Fitzhugh	Lesley	Sherman	Wheeler
Bowne	Fordyce	Lewis	Shultes	Whiteside
Bradley	French	Macomber	Sickles	Wooster
Brayton	Gilbert	Maurice	A. Smith	Wright

80

For the negative,

Elderkin

1

Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The bill entitled, "An act to authorise the Bainbridge and Lanesboro steamboat navigation company, to improve the Susquehanna river from Bainbridge to the State line," coming up for its third reading.

Mr. Sherman moved to recommit with instruction to strike out the first section.

After debate, Mr. Bishop moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Sherman, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

{ AYES 50 }
{ NOES 30 }

Those who voted in the affirmative are,

H. J. Allen	Brayton	Gleason	Moss	Stevens
O. Allen	Campbell	Graham	Pardee	Stewart
Atwood	Carrington	W. S. Gregory	Rouse	Stratton
J. W. Babcock	J. F. Clark	H. Harris	Rumsey	Swords

Baker	Congdon	L. Harris	W. Russell	Speaker
Barnes	Corser	Ingersoll	Ryan	O. C. Thompson
Belknap	Doyle	Kinsley	Shall	Wheeler
J. Benedict	Farr	Lesley	Sickles	Whiteside
Bishop	Ferris	Macomber	A. Smith	Wooster
Bowne	Fitzhugh	Minier	E. T. Smith	Wright 50

Those who voted in the negative are,

Antho	Douglass	Higby	Leggett	Severance
Blackstone	Fisk	Hinds	Le Roy	Sherman
Bradley	Fordyce	Humphrey	Pool	Southwick
Cady	French	Jayne	Rider	Tutbill
Dewey	Gilbert	Lake	Rockwell	Underwood
Dougherty	Hatch	Langdon	Rowe	Varnum 20

Mr. Underwood moved to reconsider the vote on the final passage of said bill.

Mr. Underwood moved that said motion lay on the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Underwood, and it was determined in the affirmative.

Mr. Wakeman moved to take from the table the motion to reconsider the vote on the final passage of the bill entitled, "An act for the relief of the free library of the general society of mechanics and tradesmen of the city of New-York."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wakeman, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said motion to reconsider, and it was determined in the negative, two-thirds of all the members elected to the Assembly, not voting in favor thereof, as follows:

{ AYES 75 }
{ NOES 10 }

Those who voted in the affirmative are,

H. J. Allen	Burroughs	Fisk	Lesley	Stevens
O. Allen	Bushnell	Fitzhugh	Macomber	Stratton
Antho	Cady	Fordyce	Miles	Swords
Atwood	Campbell	French	Minier	Speaker
R. Babcock	Carrington	Gilbert	Pardee	O. C. Thompson
J. W. Babcock	Chamberlin	Graham	Rouse	Townsend
Baker	J. F. Clark	W. S. Gregory	Rowe	Tutbill
Belknap	Coffin	H. Harris	Rumsey	Underwood
J. Benedict	Cooke	L. Harris	Ryan	Varnum
Bishop	Congdon	Hatch	Severance	Wakeman
Blackstone	Corser	Hinds	Shall	Ward
Bowne	Dewey	Kinsley	Sherman	Welden
Bradley	Dougherty	Kellogg	A. Smith	Wheeler
Brayton	Farr	Langdon	E. T. Smith	Whiteside
Briggs	Ferris	Le Roy	Southwick	Wright 75

Those who voted in the negative are,

Barnes	Gleason	Lake	Rider	Stewart
Doyle	Jayne	Lawyer	Rockwell	Wooster 10

Mr. Tuthill moved to take from the table the motion to reconsider the vote on the final passage of the bill entitled, "An act to amend the act entitled, 'An act to provide for the registry of births, marriages and deaths.'"

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Tuthill, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the said motion to reconsider, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

{ AYES 52 }
{ NOES 31 }

Those who voted in the affirmative are,

O. Allen	Coffin	Hatch	Pardee	A. A. Thompson
Anthon	Corser	Heath	Pool	O. C. Thompson
Baker	Dowey	Higby	Rowe	Townsend
Bird	Dougherty	Hinds	Ryan	Tuthill
Blackstone	Elderkin	Humphrey	A. Smith	Underwood
Bottum	Farr	Langdon	E. T. Smith	Varnum
Bradley	Ferris	Leggett	Southwick	Wakeman
Brayton	Fisk	Lesley	Stewart	Ward
Briggs	Fitzhugh	Macomber	Swords	Welden
Cady	Fordyce	Moss	Speaker	Whitcomb
Chamberlin	H. Harris			

52

Those who voted in the negative are,

J. W. Babcock	Cooke	Graham	Minier	Shall
Barnes	Congdon	Ingersoll	Rider	Sherman
Belknap	Davis	Jayne	Rockwell	Stevens
J. Benedict	French	Kellogg	Rouse	Stilwell
Burroughs	Gilbert	Lake	Rumsey	Wooster
Bushnell	Gleason	Le Roy	Severance	Wright
J. F. Clark				

31

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows :

"An act to provide for the election of a recorder of the city of Buffalo and to regulate the taking of the fees by said officer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act passed April 26, 1839, entitled, 'An act to amend an act incorporating the village of Waterloo,' which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

"An act to confirm the official acts of Henry Everitt, Addison Stratton and James S. McEntee, commissioners, and to extend the time for the performance of their duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to consolidate and reduce to one act the various acts rela-

tive to the common schools of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of the New-York delegation.

"An act to authorise the building of a bridge over the Erie canal at Rome," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

"An act to incorporate the village of Salem," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A message from the Senate was received and read, informing that they had passed, without amendment, the bill entitled as follows :

"An act for the relief of the association for the benefit of colored orphans in the city of New-York."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act to amend the charter of the Cayuga and Susquehanna railroad co., and to extend the powers thereof."

Mr. Speaker put the question whether the House would agree to the Senate's amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Carrington	French	Minier	Stevens
O. Allen	Chamberlin	Gilbert	Moss	Stewart
Anthon	J. F. Clark	Gleason	Pardee	Stilwell
Atwood	Coffin	Graham	Pool	Swords
J. W. Babcock	Cooke	W. S. Gregory	Rider	Speaker
Baker	Congdon	L. Harris	Rockwell	A. A. Thompson
Barnes	Corser	Hatch	Rouse	O. C. Thompson
Belknap	Dewey	Higby	Rowe	Townsend
J. Benedict	Dougherty	Hinds	Rumsey	Tuthill
Bishop	Douglass	Humphrey	Ryan	Underwood
Blackstone	Doyle	Ingersoll	Severance	Wakeman
Bowne	Elderkin	Kellogg	Shall	Ward
Bradley	Farr	Langdon	Sherman	Welden
Brayton	Ferris	Lawyer	Sickles	Wheeler
Briggs	Fisk	Leggett	A. Smith	Whiteside
Bushnell	Fitzhugh	Le Roy	E. T. Smith	Wooster
Cady	Fordyce	Lesley	Southwick	Wright 85

Ordered, That the Clerk return the said bill to the Senate, with a message informing, that the Assembly have concurred in the said amendments, and amended the same accordingly.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act to incorporate the Protestant Episcopal mutual benefit society."

Mr. Speaker put the question whether the House would agree to the Senate's amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

{ AYES 67 }
 { NOES 16 }

Those who voted in the affirmative are,

H. J. Allen	Cady	Fisk	Kellogg	Rumsey
Anthon	Chamberlin	Fitzhugh	Lake	Ryan
Atwood	J. F. Clark	Fordyce	Langdon	Severance
J. W. Babcock	Coffin	Gilbert	Lawyer	Shall
Barnes	Colvin	Gleason	Leggett	Sherman
Belknap	Cooke	W. S. Gregory	Le Roy	Shultes
J. Benedict	Congdon	L. Harris	Lesley	Sickles
Bird	Croser	Higby	Miles	A. Smith
Bishop	Dewey	Hinds	Pardee	E. T. Smith
Blackstone	Dougherty	Humphrey	Pool	Stratton
Bottum	Douglass	Ingersoll	Rider	Swords
Bowne	Doyle	Jayne	Rouse	Underwood
Briggs	Farr	Kinsley	Rowe	Wright
Bushnell	Ferris			

67

Those who voted in the negative are,

O. Allen	Minier	Stewart	O. C. Thompson	Wakeman
Baker	Rockwell	Speaker	Townsend	Welden
Bradley	Stevens	A.A. Thompson	Tuthill	Wooster
Macomber				

16

Ordered, That the Clerk return the said bill to the Senate, with a message informing, that the Assembly have concurred in the said amendments, and amended the same accordingly.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act to provide for the election of a separate officer to perform the duties of the office of surrogate in certain counties."

Mr. Moss moved to amend the Senate's amendments as follows:

Add to the first section of the bill the words following: "every person elected pursuant to this act, or the act hereby amended, shall have power to take affidavits and the proof and acknowledgment of deeds and other instruments in writing, with the same force and effect as if taken by a county judge, and for which he may charge the same fees."

Substitute the following for section three:

"§ 3. All bonds given by any executor or administrator, or any other person, which by law are required to be filed with the surrogate, or in the surrogate's office of any county, shall be proved or acknowledged by the parties executing the same, as deeds are now required by law to be proved or acknowledged, before the same shall be received by the surrogate or person performing the duties of surrogate."

Make section three of original bill, section four, and alter the others accordingly.

Amend the title by adding thereto, "and to increase his powers and duties."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Moss, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the Senate's amendments, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

{ AYES 77 }
 { NOES 00 }

Those who voted in the affirmative are,

H. J. Allen	Chamberlin	Gilbert	Lesley	Stewart
O. Allen	J. F. Clark	Gleason	Lewis	Stilwell
Anthon	Coffin	Graham	Moss	Stratton
Atwood	Cooke	W. S. Gregory	E. Perry	Swords
R. Babcock	Congdon	L. Harris	Rouse	Speaker
J. W. Babcock	Corser	Hinds	Rowe	Townsend
Baker	Davis	Humphrey	Rumsey	Tutbill
Barnes	Dewey	Ingersoll	Ryan	Underwood
Belknap	Dougherty	Jayne	Shall	Wakeman
J. Benedict	Elderkin	Kinsley	Sickles	Ward
Bishop	Farr	Kellogg	A. Smith	Welden
Blackstone	Ferris	Lake	E. T. Smith	Wheeler
Bottum	Fisk	Langdon	Snell	Whiteside
Brayton	Fitzhugh	Leggett	Southwick	Wooster
Briggs	Fordyce	Le Roy	Stevens	Wright
Cady	French			

77

Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have concurred in their amendments, with amendments.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act to secure for this State an agent to the World's Fair at London, of 1851, who shall receive a sufficient remuneration."

Mr. Speaker put the question whether the House would agree to the Senate's amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

{ AYES 94 }
 { NOES 04 }

Those who voted in the affirmative are,

H. J. Allen	J. F. Clark	H. Harris	Macomber	Stevens
O. Allen	Coffin	L. Harris	Manrice	Stewart
Anthon	Cooke	Hatch	Moss	Stilwell
Atwood	Congdon	Higby	Pardee	Stratton
R. Babcock	Corser	Hinds	E. Perry	Swords
J. W. Babcock	Davis	Horton	Pool	Speaker
Baker	Dewey	Humphrey	Rider	O. C. Thompson
Barnes	Dougherty	Ingersoll	Rockwell	Townsend
Belknap	Douglass	Jayne	Rouse	Tutbill
Bird	Doyle	Kinsley	Rumsey	Underwood
Blackstone	Farr	Kellogg	W. Russell	Vernum
Bottum	Ferris	Lake	Ryan	Wakeman

Brayton	Fisk	Langdon	Severance	Ward
Briggs	Fitzhugh	Lawyer	Shall	Welden
Burrongs	Fordyce	Leggett	Sherman	Wheeler
Bushnell	French	Le Roy	Sickles	Whiteside
Cady	Gilbert	Lesley	A. Smith	Wooster
Carrington	Gleason	Lewis	E. T. Smith	Wright
Chamberlin	Graham	McLouth	Southwick	

94

Those who voted in the negative are,

J. Benedict	Bishop	Bradley	W. S. Gregory	4
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Ordered, That the Clerk return the said bill to the Senate, and inform them that the Assembly have concurred in their amendments, and amended the same accordingly.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act declaring Moose river with the north and south branches thereof a public highway," which was referred to the committee on public lands.

A message from the Senate was received and read, informing that they had passed, with the amendments therewith delivered, the bill entitled, "An act in relation to all companies transacting the business of life insurance within this State."

Mr. Underwood moved that the House do concur in the Senate's amendments.

Mr. Speaker announced the question to be whether the House would allow said amendments to be now acted on.

Mr. Wakeman moved the previous question.

Mr. Speaker put the question whether the House would agree to second the call for the previous question, and it was determined in the affirmative.

Mr. Speaker then put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to consider said amendments, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the Senate's amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows:

{ AYES 81 }
{ NOES 03 }

Those who voted in the affirmative are,

H. J. Allen	Cady	Gleason	Lesley	Stevens
O. Allen	Chamberlin	W. S. Gregory	Lewis	Stilwell
Anthon	J. F. Clark	L. Harris	Macomber	Stratton
Atwood	Coffin	Hatch	Maurice	Swords
J. W. Babcock	Cooke	Higby	Minier	O. C. Thompson
Baker	Congdon	Hinds	Rardoe	Townsend
Barnes	Corser	Horton	E. Perry	Tuthill
Belknap	Dougherty	Ingersoll	Pool	Underwood
Bird	Douglass	Jayne	Rowe	Varnum
Bishop	Doyle	Kinsley	Ryan	Wakeman

Blackstone	Farr	Kellogg	Severance	Ward
Bowne	Fisk	Lake	Shall	Welden
Bradley	Fitzhugh	Langdon	Sherman	Wheeler
Brayton	Fordyce	Lawyer	A. Smith	Whiteside
Briggs	French	Leggett	E. T. Smith	Wooster
Burroughs	Gilbert	Le Roy	Southwick	Wright
Bushnell				

81

Those who voted in the negative are,

J. Benedict Ferris Rider

2

Ordered, That the Clerk return the said bill the Senate, and inform them that the Assembly have concurred in their amendments, and amended the same accordingly.

Mr. Townsend presented three petitions, Mr. H. J. Allen three, Mr. Macomber one, Mr. Blackstone two, of the trustees of various school districts in the city of New-York, which were read and referred to a select committee consisting of the New-York delegation.

Mr. Underwood presented one petition of inhabitants of Cayuga co., Mr. Lyon two of inhabitants of Lewis co., Mr. Lesley one of inhabitants of Albany co., Mr. Gilbert one of inhabitants of Jefferson co., Mr. Burroughs one of the board of forwarders of the city of New-York, Mr. Minier four of inhabitants of Chemung co., Mr. J. Benedict one of inhabitants of Oneida co., Mr. Douglass one of inhabitants of Chautauque co., for the speedy enlargement of the Erie, Genesee Valley and Black River canals, which were read and laid on the table.

Mr. Rouse presented the petition of 53 citizens of Westmoreland, Oneida co., in relation to boards of commissioners of excise, which was read and referred to the committee of the whole.

Messrs. Varnum, H. J. Allen, Blackstone and Ward severally presented remonstrances of citizens of New-York, against restraining the N. Y. and Erie railroad co. from reaching the city of New-York by the nearest and most expeditious route, which were read and referred to the committee on railroads.

Mr. Whiteside presented one petition of inhabitants of Washington co., Mr. Lyon one of inhabitants of Lewis co., Mr. Fordyce one of inhabitants of Genesee co., for the regulation or prohibition of the sale of intoxicating drinks, which were read and referred to the committee of the whole.

Mr. Lesley presented the remonstrance of the common council of Troy, against the proposed division of wards in said city, which was read and referred to the committee of the whole.

Mr. Wright presented the petition of inhabitants of Laurens, praying that ten hours be a day's work, which was read and referred to the committee on expiring laws.

Mr. Hatch presented three petitions of inhabitants of Oswego co., for the enlargement of the Oswego canal, which were read and referred to the committee on canals.

Mr. Varnum presented the petition of Francis B. Calling for relief, which was read and referred to the committee on the judiciary.

Mr. O. Allen presented the memorial of citizens of New-York

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